

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF TEXAS
3 GALVESTON DIVISION

3 STACEY KIBODEAUX, a/k/a)
4 "ILLUSION,"et al.,)
5 individually, and on)
6 behalf of all others)
7 similarly situated,)
8) CIVIL ACTION
9 PLAINTIFFS,)
10 VS.) NO.: 3:20-cv-00008
11)
12 A&D INTERESTS, INC.,)
13 d/b/a HEARTBREAKERS)
14 GENTLEMAN'S CLUB, et al.,)
15)
16 DEFENDANTS.)

11 -----
12 ORAL DEPOSITION OF
13 ROXANNE RENEE MURILLO
14 April 27, 2021
15 Volume 1
16 (Reported Remotely)
17 -----

18 ORAL DEPOSITION OF ROXANNE RENEE MURILLO, produced
19 as a witness at the instance of the DEFENDANTS, and duly
20 sworn, was taken in the above-styled and numbered cause
21 on the 27th of April, 2021, from 1:04 p.m. to 4:39 p.m.,
22 via Zoom, before Caroline Massa, RPR, CSR in and for the
23 State of Texas, reported by machine shorthand, at the
24 witness' residence in Channelview, Texas, pursuant to
25 the Federal Rules of Civil Procedure, the Current
 Emergency Order regarding the COVID-19 State of
 Disaster, and the provisions stated on the record or
 attached hereto.

A P P E A R A N C E S

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P R O C E E D I N G S

(Witness was sworn.)

THE REPORTER: Today's date is April 27th, 2021. The time is 1:04 p.m. This is the oral deposition of Roxanne Murillo. It is being taken in the case styled the United States District Court for the Southern District of Texas, Galveston Division, Stacey Kibodeaux, a/k/a "Illusion," et al., versus A&D Interests, Inc., d/b/a Heartbreakers, Civil Action Number 3:20-cv-00008. This deposition is being conducted remotely in accordance with the current Emergency Order Regarding the COVID-19 State of Disaster.

The witness is located in Channelview, Texas.

My name is Caroline Massa, Certified Shorthand Reporter, CSR Number 6226. I'm administering the oath and reporting the deposition remotely by stenographic means from my residence within the state of Texas.

Would Counsel please state their appearances and any agreements for the record?

MR. KING: Will King for defendants.

MS. REZAZADEH: Ghazzaleh Rezazadeh for plaintiffs.

1 THE REPORTER: And just proceeding under
2 federal rules today?

3 MR. KING: Yes.

4 ROXANNE RENEE MURILLO,
5 having been first duly sworn, testified as follows:

6 EXAMINATION

7 BY MR. KING:

8 Q. All right. Good afternoon. How are you today?

9 A. Just fine. How are you?

10 Q. Doing well, thank you. I want to make sure
11 that I pronounce your name correctly. Is it Murillo or
12 Murillo?

13 A. Murillo.

14 Q. Murillo, all right. Ms. Murillo, could you
15 state your full name for the purposes of the record
16 today?

17 A. Roxanne Renee Murillo.

18 Q. And have you ever gone by any other names?

19 A. My maiden last name, Walden.

20 Q. Any other names?

21 A. Delagarza, my mom's last name.

22 Q. Any other names?

23 A. No.

24 Q. What about Cepeda?

25 A. Oh, that -- oh, and my first marriage, sorry.

1 Q. No problem. So Walden and Cepeda were your
2 names from prior marriages?

3 A. Walden is my birth last name, my maiden last
4 name.

5 Q. Got it, okay.

6 A. Cepeda is my first marriage, yeah.

7 Q. And Murillo is your -- your current married
8 last name?

9 A. Last name, yes.

10 Q. Understood. What stage names have you gone by?

11 A. Unique.

12 Q. Any others?

13 A. Roxanne.

14 Q. Have you ever been deposed before?

15 A. No.

16 Q. You never sat -- well, we're doing this by
17 Zoom, but have you ever been asked a bunch of questions
18 by lawyers with a court reporter present?

19 A. No.

20 Q. Have you ever testified in court before?

21 A. No.

22 Q. Well, since you haven't testified before in
23 court or been deposed, I just want to cover a couple of
24 quick ground rules. The first one is since we're doing
25 this by Zoom, I know my video has a little bit of lag,

1 so just make sure to let me finish my question before
2 you start giving your answer. That will allow the court
3 reporter to take down, you know, who's talking, and it
4 will also permit your lawyer to lodge any objections
5 that she might have. Okay?

6 A. Okay.

7 Q. If you don't understand a question that I ask
8 you, please ask me for clarification. Sometimes I ask
9 bad questions that just come out completely mangled,
10 like word salad, so feel free to ask me for
11 clarification.

12 A. Okay.

13 Q. Everyone has a habit of going uh-huh or huh-uh,
14 especially once the deposition starts going, so please
15 don't be offended if I remind you to give an audible
16 answer like yes or no and what have you, okay?

17 A. Okay.

18 Q. All right. What have you done to prepare for
19 today's deposition?

20 A. I just met with the lawyer and went over, you
21 know, our paperwork and things like that.

22 Q. What paperwork did you go over?

23 A. I guess like to sign to -- that they were gonna
24 be my attorney and things like that, you know, paperwork
25 to sign.

1 Q. Your fee agreement with your lawyers?

2 A. Yes.

3 Q. Anything else?

4 A. No.

5 Q. Did you go over the responses to Heartbreakers'
6 discovery requests?

7 A. Yes.

8 Q. Did you review the interrogatory responses
9 which you gave?

10 A. What is the interrogatory or --

11 Q. Sure. I'll just -- I'll put it on my screen so
12 you can see what I'm talking about.

13 A. Okay.

14 Q. Can you see my screen?

15 A. Yes.

16 Q. Okay. Have you -- have you seen this document?

17 A. Yes. That's like the lawsuit or -- yes, I've
18 seen it.

19 Q. Okay. Did you review the lawsuit itself?

20 A. Yes.

21 Q. Have we covered all the documents that you
22 reviewed in anticipation of your deposition?

23 A. Yes.

24 Q. Aside from your attorneys, have you spoken with
25 anyone else about your deposition today?

1 A. No.

2 Q. You haven't talked to any friends or family
3 about it?

4 A. No.

5 Q. Have you spoken with any of the other
6 plaintiffs in this case about your deposition?

7 A. No.

8 Q. Do you know who the other plaintiffs are in
9 this case?

10 A. I've vaguely seen their names, but I'm not too
11 sure who exactly they are.

12 Q. Have you ever met any of the other plaintiffs
13 before?

14 A. I'm not 100 percent for sure if -- I don't know
15 them personally.

16 Q. And I appreciate your --

17 A. I'm sorry, you cut out.

18 Q. Oh. It says my internet connection is
19 unstable. Great.

20 A. Sorry.

21 Q. All right. I think it's cleared up.

22 A. Okay. What was that again?

23 Q. Let me just go through their names, and just
24 let me know if you ever met them or talked to them.

25 A. Okay.

1 Q. First one, Stacey Kibodeaux, also known as
2 Illusion?

3 A. I'm not sure if she was the one who is dating
4 Mike Armstrong. Stacey, when I heard the name, that's
5 what I -- that's who I thought she was. I'm not sure if
6 she is or --

7 Q. Have you ever met her?

8 A. Just heard about her.

9 Q. So you never talked to her?

10 A. No.

11 Q. Have you ever met or talked to Hailey Chapman
12 before? She went by Daisy.

13 A. I think I've seen her once or twice, but never
14 really associated myself with them.

15 Q. Have you ever met Jean Hoffmeister, also known
16 as -- I think it's Johne?

17 A. I'm not sure about her.

18 Q. Is your current number (713) 498-2317?

19 A. 2311.

20 Q. 2311?

21 A. Yes.

22 Q. And how long have you had that phone number,
23 ma'am?

24 A. I've had that number, I guess, about four years
25 maybe, five years. I'm not sure the exact amount.

1 Q. Sure, I understand. I don't remember what I,
2 you know, ate for breakfast last Friday.

3 A. I've had it a while, though. That's for sure.

4 Q. Okay. Who's your current cell phone carrier?

5 A. AT -- I mean, T-Mobile.

6 Q. Do you have any other cell phone numbers?

7 A. No. That's the only number I have.

8 Q. Fair enough. Just thought I'd ask. Is your
9 e-mail address MurilloRoxanne77@gmail.com?

10 A. Yes.

11 Q. Do you have any other personal e-mail
12 addresses?

13 A. No. That's the only one that I use.

14 Q. No business e-mail addresses?

15 A. No.

16 Q. Since 2015, what -- what jobs have you held
17 starting back in 2015?

18 A. You mean like dancing, like at Heartbreakers
19 and then -- like any other -- are you asking any other
20 clubs or any other type of employment?

21 Q. Any other type -- so -- for -- for example,
22 it's my understanding that you were a phlebotomist for a
23 while, right?

24 A. Right.

25 Q. Okay. So any other jobs, occupations that

1 you've had since 2015, beginning with the earliest, and
2 we can do it in chronological order?

3 A. Well, the phlebotomy was before 2015, I
4 believe. 2015 I did do a little bit of, like, safety
5 inspections, but that was very short; and I went back to
6 dancing.

7 Q. And so in 2015, you worked as a safety
8 inspector?

9 A. Uh-huh.

10 Q. Was that a yes?

11 A. Yes, sorry.

12 Q. No problem. What kind of safety were you
13 inspecting?

14 A. Oil field. I worked at --

15 Q. Do you --

16 A. -- a chemical plant.

17 Q. Sorry?

18 A. Chemical plant.

19 Q. And from about when to when did you work as a
20 safety inspector at chemical plants?

21 A. I did it for a short time, maybe about six
22 months.

23 Q. All right. And then what?

24 A. I went back to dancing.

25 Q. So in 2015 you worked for a brief time as a

1 safety inspector, and then you went to go work as a
2 dancer?

3 A. Yes.

4 Q. And where did you work as a dancer?

5 A. Heartbreakers.

6 Q. Do you recall when in 2015 you started working
7 at Heartbreakers?

8 A. Well, I -- not exactly the exact date. I've
9 worked there since I was 18, so I'm not for sure -- I
10 mean, I've worked there since 2002.

11 Q. All right. So you worked at Heartbreakers for
12 the past, what, 19 years?

13 A. 18 years, yes.

14 Q. 18 years?

15 A. (No response.)

16 Q. Well, let's go back to 2002 then.

17 A. Okay.

18 Q. So was -- was Heartbreakers your first job out
19 of high school?

20 A. Yes.

21 Q. And how long did you work at Heartbreakers
22 during your first time there, from when to when?

23 A. I worked there till I had my first kid, till I
24 was 21.

25 Q. So from approximately 2002 to 2005?

1 A. Uh-huh.

2 Q. Is that a yes?

3 A. Then I had a baby, went back.

4 Q. And when did you return back to Heartbreakers
5 after you had your first child?

6 A. So I had him October 2009, and I probably went
7 back around 2010, beginning of the year.

8 Q. So between 2005 and 2010, did you have any
9 other jobs or occupations?

10 A. No. I did do the phlebotomy, but I'm not
11 exactly what -- sure. I think I started -- I'm not
12 exactly what year I started.

13 Q. So you returned to Heartbreakers in 2 --
14 sometime in early 2010, right?

15 A. Right.

16 Q. And how long was that second stint?

17 A. The second -- what was that, I'm sorry?

18 Q. The second stint at Heartbreakers.

19 A. I stayed at Heartbreakers until my next kid,
20 another two years.

21 Q. Okay. Do you recall about when that was in
22 2012?

23 A. So he was born in April. I'm -- I'm not sure
24 exactly on those dates. I'd have to sit down and
25 brainstorm -- I mean, you know, write the dates down and

1 stuff.

2 Q. I understand. I'm just trying to get general
3 time frames.

4 So you worked at Heartbreakers between 2010
5 and approximately spring 2012?

6 A. I'm not exactly sure on the exact dates, but I
7 would say yes.

8 Q. All right. After your second child was born,
9 you left Heartbreakers. What did you do for work or
10 occupation?

11 A. After the second child was born, I went back to
12 Heartbreakers.

13 Q. When did you return to Heartbreakers
14 approximately?

15 A. So he was born in April 2009, so probably
16 July/August, sometime around there.

17 Q. July/August what year?

18 A. 2009.

19 Q. Okay. And then did you perform at
20 Heartbreakers until 2012?

21 A. I stayed there until 2011.

22 Q. Okay. And then what?

23 A. And then I had another child.

24 Q. Uh-huh.

25 A. And then I went back to dancing again.

1 Q. When did you return to dancing?

2 A. It's just a few months after. So let's see,
3 she was born in January 2011.

4 Q. Uh-huh.

5 A. So shortly after that.

6 Q. So in early 2011, after your third child was
7 born, you returned to go perform at Heartbreakers,
8 right?

9 A. Right.

10 Q. And how long was your -- so that was your third
11 time at Heartbreakers, right?

12 A. Right.

13 Q. And how long was your -- your third experience
14 at Heartbreakers? From when to when approximately?

15 A. So I stayed there until I did the -- I did the
16 phlebotomy in about -- I don't remember exactly what
17 year I did phlebotomy. But I did that for about a year,
18 and I worked at Heartbreakers at night, or if I
19 worked -- if I was off on the phlebotomy job, I would go
20 during the day.

21 Q. And how long is that third stretch of time at
22 Heartbreakers?

23 A. I'm not sure. I -- I worked there until 2017.

24 Q. Did you take any -- like, did you have any
25 hiatuses at Heartbreakers between 2011 and 2017?

1 A. What is a hiatus? Like a time off?

2 Q. Yeah, like extended periods of time where you
3 didn't perform.

4 A. Just at the time when I did the oil -- the oil
5 field. That's the only time that I kind of took off.
6 'Cause I worked 12-hour shifts, so I didn't really have
7 time to go work two jobs.

8 Q. 12-hour shifts at the refinery?

9 A. Yes.

10 Q. All right. So between 2011 to 2017, you were
11 performing at Heartbreakers. Is that accurate?

12 A. Yes.

13 Q. And -- and so you performed in 2016 at
14 Heartbreakers, true?

15 A. 2016, yes.

16 Q. And you performed at Heartbreakers in 2017?

17 A. Yes.

18 Q. Between 2011 and 2017, did you perform at any
19 other gentlemen's clubs?

20 A. I would work every now and then at the Ritz,
21 but that was a Heartbreakers rival, so we couldn't --
22 like, if they found out we worked there, we would kind
23 of get in trouble or told not to come back.

24 Q. Okay.

25 A. Or stay over there, something like that.

1 MR. KING: I'll object to the nonresponsive
2 portion of that.

3 Q. (BY MR. KING) Any other clubs that you
4 performed at between 2011 and 2017 other than
5 Heartbreakers?

6 A. The Ritz.

7 Q. That was it?

8 A. Yes.

9 Q. Between 2017 and 2019, did you perform at any
10 other gentlemen's clubs aside from Heartbreakers?

11 A. The Ritz.

12 Q. Did you ever perform at Double Shoe?

13 A. Double who?

14 Q. Double Shoe.

15 A. Double Shoe, probably like one night, and I
16 mean, I just dropped in and out, so I don't know what
17 year that was or anything.

18 Q. What about XTC?

19 A. I did work there as well. Sorry.

20 Q. From when to when?

21 A. I have no idea. Like no -- I couldn't even
22 tell you.

23 Q. Was it in the last four years?

24 A. No.

25 Q. So at some point before 2017?

1 A. Before.

2 Q. All right. Did you ever work at Treasures?

3 A. No.

4 Q. Paradise City?

5 A. Yes.

6 Q. From about when to when?

7 A. I have no idea. 'Cause those weren't the
8 main -- I mean, if I went, I went like one night, and
9 that was it. My main club I worked at was
10 Heartbreakers.

11 Q. I understand. Heartbreakers was kind of your
12 home base, right?

13 A. Right. That was the place where I worked.

14 Q. And there were times where you would try out
15 other clubs, right?

16 A. Right. Like, with other girls or, you know, we
17 would just try other clubs, but it was, like, a night or
18 two, not nothing --

19 Q. Ongoing?

20 A. Right. Not nothing to say that was my -- where
21 I worked.

22 Q. I'm trying to think of what else.

23 Fantasy Plaza, ever perform there?

24 A. Not -- I don't recall that name.

25 Q. Have you ever performed at any Buck Wilds?

1 A. I don't recall that name either.

2 Q. What about Moments in Pasadena?

3 A. I think I worked there a night or two.

4 Q. Do you recall when that might have been?

5 A. No.

6 Q. Other -- have you ever worked at Splendor?

7 A. What is it?

8 Q. Splendor.

9 A. No.

10 Q. Glamour Girls?

11 A. No.

12 Q. Can you recall any other clubs that you
13 performed at in the last three years?

14 A. No, no. Just Heartbreakers.

15 Q. All right. What -- what brought you back to
16 Heartbreakers over, you know, 18 years?

17 A. Well, I worked off and on between those 18
18 years, so it's not like I took off 18 years and then
19 came back.

20 Q. Sure, I understand.

21 A. Yeah.

22 Q. But for 18 years you -- you worked at
23 Heartbreakers, right?

24 A. Right.

25 Q. Why did you keep going back?

1 MS. REZAZADEH: Objection; vague.

2 Q. (BY MR. KING) Go ahead.

3 A. The money.

4 Q. Is there anything about the club that brought
5 you -- caused you to return over 18 years?

6 MS. REZAZADEH: Objection; vague.

7 Go ahead, Roxy.

8 A. Anything that brought me back? Just the big
9 spenders, I mean --

10 Q. (BY MR. KING) That's fair enough. I mean, I
11 don't know. I'm just asking you. I've heard from other
12 dancers that they have kind of like a preferred club
13 that they like to go to, so I'm trying to understand
14 from you, you know, what it was about Heartbreakers that
15 caused you to return since the early 2000s.

16 A. Oh, and also on the other clubs, we couldn't --
17 we had to wear full bottoms, and Heartbreakers you could
18 wear costumes, like, you know --

19 Q. So Heartbreakers --

20 A. -- you have to keep fully covered up.

21 Q. So Heartbreakers let you wear costumes?

22 A. Yes.

23 Q. So since you worked at Heartbreakers since
24 2002, have you become familiar with the managers there?

25 A. Yes.

1 Q. Do you know who Carl Arceneaux is?

2 A. Carl?

3 Q. Yeah.

4 A. Yes. A bartender?

5 Q. Yeah. He was a bartender, and then --

6 A. And then he switched to manager, yeah.

7 Q. Right. Did you ever perform as a dancer when
8 Carl was a manager?

9 A. Yes.

10 Q. What about Gary Wasek? Did you ever perform as
11 a dancer when Gary was on duty?

12 A. Yes.

13 Q. Same question for Damon Jackson?

14 A. Yes.

15 Q. And I assume you performed as a dancer when
16 George Forster or Whitey was --

17 A. Yes.

18 Q. -- on duty, right?

19 A. Uh-huh.

20 Q. What about Jeremy Goldsboro?

21 A. Yes, Jeremy as well.

22 Q. Okay. Did you ever work at the Rodeo Goat?

23 A. Yes. Sorry.

24 Q. When did you work at the Rodeo Goat?

25 A. I worked there just before the pandemic.

1 Q. All right. From approximately when to when?

2 A. So February of 2021, right -- is that when --
3 or 2020, February of 2020, and a year prior to that.

4 Q. Did you start working at the Rodeo Goat in or
5 about November of 2019?

6 A. I don't remember exactly what date, but I
7 worked there about a year, approximately.

8 Q. Do you recall roughly -- I don't know, like the
9 season and the year that you started working there?

10 A. I don't. I don't, sorry.

11 Q. That's all right. You worked at the Rodeo Goat
12 as a server?

13 A. Yes.

14 Q. Is the Rodeo Goat a bar, a restaurant?

15 A. It's a burger joint.

16 Q. Did you ever work at the Rodeo Goat at the same
17 time that you performed at Heartbreakers?

18 A. No.

19 Q. Between 2017 and the time that you left
20 Heartbreakers, was that the only source of income that
21 you had?

22 A. Yes.

23 Q. You didn't work anywhere else, right?

24 A. Right.

25 Q. Have you ever met Peggy Armstrong?

1 A. Yes. In the club.

2 Q. And I'm just talking about just in the past
3 three years -- actually, four years, I take that back.
4 So since January of 2017, have you ever had any
5 interactions with Peggy?

6 A. Since January 2017?

7 Q. Uh-huh.

8 A. Not any, like, personal interactions, just in
9 the club.

10 Q. So you've seen her in the club?

11 A. Yes.

12 Q. What sort of operational control does Peggy
13 have over the club?

14 A. Like what we wear, how we look, whether we're
15 inactive or not.

16 Q. How did she observe -- those sorts of control
17 you say?

18 A. She would come into the club and sit and watch
19 like throughout -- a couple hours throughout the day,
20 every now -- just pop in. You know, we never knew when
21 she would pop in. She would just come in.

22 Q. Would she tell people what to do?

23 A. So if -- she would make sure we were doing what
24 we were supposed to, and if we didn't, she would let the
25 manager know to come and --

1 Q. Did you ever have any experience with that?

2 A. Yeah. There was a time where I was on stage,
3 and I didn't have my top off. I had it on.

4 Q. Uh-huh.

5 A. And so I kind of got in trouble for that.

6 Q. By Peggy?

7 A. And I couldn't -- yeah, she sent Whitey over,
8 and I couldn't, like, sit down on stage. I had to be up
9 moving. I couldn't --

10 Q. Do you recall when that happened?

11 A. No. I've been there -- I've worked there so
12 many years. It's like I don't --

13 Q. Sure. Again, so this could have been back in
14 2003 or 2012; you just don't know?

15 A. I mean, those were the rules. Like, either --
16 it's just when I did it, I got in trouble so severely
17 that I never did it again. Like, I knew what to do what
18 not to do -- what I couldn't do.

19 Q. I understand. I'm just trying to figure out
20 when this instance that you're telling me about, like,
21 when it might have happened.

22 A. I have no idea. I worked there 18 years, so --

23 Q. So it could have happened before 2017?

24 A. It could have, and it could have not. I mean,
25 it did happen before 2017, for sure because I already

1 knew in 2017 I couldn't do that.

2 Q. Sure. What other kinds of control did Peggy
3 exercise?

4 MS. REZAZADEH: Objection; vague.

5 Go ahead, Roxy.

6 A. Oh, what other control? Just like what we
7 wore, you know, if we were sitting down, we couldn't be
8 sitting down. If we had clothes on, we had to take them
9 off.

10 Q. (BY MR. KING) Did Peggy ever tell you that you
11 couldn't wear something?

12 A. Like, if we had too much clothes on, like we
13 had to take it off, like, while we were on stage and
14 stuff like that.

15 Q. Did she ever tell you that you had to take your
16 clothes off?

17 A. She would always tell the manager, and the
18 manager would tell us, but we knew it was coming from,
19 you know, an upper -- an owner.

20 Q. How did you know that?

21 A. You could just -- we just -- you knew. Like,
22 once she walked in the door, like, get off your phone.
23 You know, I mean, other girls would say, like, get off
24 your phone. Peggy is here or, you know, get up, walk
25 around, don't sit down, you know, things like that.

1 Q. Sure. Did anyone ever tell you that Peggy had
2 an issue with any of the things you just described?

3 A. Yeah. Like, we would get in trouble.

4 Q. Right. So my question was: Did anyone ever
5 tell you, Hey, Peggy sent me over to tell you do XYZ, or
6 not do XYZ?

7 A. Well, no, they never said -- like he never
8 said, she said directly, but it was understood, I guess.
9 You know, when she came in, it's -- they were on the
10 prowl. So if somebody was doing something wrong, it was
11 'cause she walked in the door, and then we were getting
12 on to, you know.

13 Q. So is it -- is it true that if she wasn't
14 there, the managers wouldn't be telling you what to do?

15 A. Oh, no. They would tell us what to do. But
16 they would be more like -- more on it when she was there
17 or Mike was there or Whitey was there. When any of
18 those three were there, they were extra, like --

19 Q. Extra what?

20 A. I guess strict on what we could and can't do --
21 can and can't do.

22 Q. Do you know how Peggy controlled the -- your
23 pay structure?

24 A. So, like, we did -- if we got paid on credit
25 cards, they would take extra money from us. Like, we'd

1 have to -- they would set a pay -- like, a charge. They
2 set a charge, how much to charge the -- the client. So
3 \$25 --

4 Q. You --

5 A. -- and that was set from the club, and then
6 they would take 5, and we would get 20. And then if we
7 needed to cash it into cash, we would -- they would take
8 another dollar.

9 MR. KING: Objection; nonresponsive.

10 Q. (BY MR. KING) So here is my question --

11 A. Uh-huh.

12 Q. -- how did Peggy control your pay structure, if
13 you know?

14 A. How did Peggy control the -- I mean, it was the
15 rules, you know, with the money.

16 Q. Right. So did -- was there ever an instance in
17 which Peggy told you something about your pay structure?

18 A. It was the managers.

19 Q. Okay. And that's -- that's what I'm getting at
20 is I'm trying to figure out where this stuff came from.

21 So do you have any information as far as
22 whether Ms. Armstrong, Peggy, controlled your pay
23 structure?

24 A. Well, they're the ones who set the rules.

25 Q. Okay. And how --

1 A. And --

2 Q. Go ahead.

3 A. I'm sorry.

4 Q. No, go ahead. Finish your answer.

5 A. It was just they were the ones who set the
6 rules, and the managers were the ones who made sure
7 those rules were in place. So if money -- if they were
8 charging us money, it was from Peggy and Mike and
9 Whitey, and then the managers would just come and make
10 sure we paid or money was taken or, you know, the
11 managers were switched often.

12 Q. They were switched often?

13 A. They were the same rules, you know, it doesn't
14 matter. We still have the same rules, so no matter what
15 manager was on shift that day, the rules still were the
16 same.

17 Q. I understand. I'm --

18 A. So --

19 Q. Go ahead.

20 A. So I believe that the money -- I mean, the
21 rules were coming from Peggy. You know, she was the one
22 who ran the whole, you know, I guess the -- I guess the
23 business part of it, you know, the money part.

24 Q. All right. What I want to know is where that
25 knowledge came from, how you came to learn that?

1 A. That's what I'm saying. So, like, when I first
2 started working there and these rules were set for this
3 money that was being taken, you know, the managers would
4 tell us, but it doesn't matter which manager would tell
5 us. It was always the same rules, so it had to come
6 from bigger, you know, the upper -- the owners.

7 Q. Am I understanding you correctly that you
8 basically inferred that whatever the managers told you
9 came from Peggy Armstrong?

10 MS. REZAZADEH: Objection --

11 A. Yes.

12 MS. REZAZADEH: -- misquoting the deponent.

13 Q. (BY MR. KING) And have you made -- was your
14 inference based on the fact that she's an owner of
15 Heartbreakers?

16 MS. REZAZADEH: Same objection.

17 Q. (BY MR. KING) Go ahead.

18 A. What's the question again? I'm sorry.

19 Q. Sure. So it's -- what you've been telling me
20 about where you're inferring that these rules have come
21 from --

22 A. Yeah.

23 Q. -- is that based on the fact that she's an
24 owner of the club?

25 MS. REZAZADEH: Same objection.

1 Go ahead, Roxanne. Sorry to throw you off
2 with my objection.

3 THE WITNESS: It's okay.

4 A. Yes, I -- yes.

5 Q. (BY MR. KING) But otherwise, you don't have
6 any firsthand knowledge of Peggy setting your pay
7 structure, right?

8 MS. REZAZADEH: Objection; misleading the
9 deponent.

10 A. Other than the girls talking about it, saying
11 that it was from Peggy, like, you know --

12 Q. (BY MR. KING) Like locker room chat --

13 A. Right.

14 Q. -- with the other dancers?

15 A. Right. Saying that Peggy is the one
16 responsible for the money being taken 'cause, you know,
17 we get a lot of money taken from us.

18 Q. And we'll get to that. Don't worry. I'll give
19 you an opportunity to tell me everything you want to
20 say.

21 Can you think of any other instances in
22 which Ms. Armstrong directed your work as a dancer?

23 A. No, not like one-on-one, you know, incidents
24 with her.

25 Q. Did Peggy ever give you a schedule?

1 A. No, they never gave me a schedule.

2 Q. Did Peggy ever fire you?

3 A. No.

4 Q. Did Peggy hire you?

5 A. No.

6 Q. Did you ever tip Peggy?

7 A. No.

8 Q. Did Peggy ever give you any kind of employment
9 sorts of records or information?

10 A. So if -- so if I needed anything of records or
11 days that I worked, it had to come from Peggy.

12 Q. Can you give me an example?

13 A. So I was going to court for the -- my kids, and
14 they wanted, I guess, the days and nights I worked, and
15 so it had to come from Peggy what days I worked and
16 what -- you know, whatever schedule the lawyer needed,
17 it came from Peggy.

18 Q. Did you receive that information from Peggy?

19 A. Yes.

20 Q. And in what format did that information come?

21 Did she give you a piece of paper? What was it? A
22 statement?

23 A. I believe it was paper. It was -- yeah, it was
24 on paper.

25 Q. Do you still have that paper?

1 A. No. I was looking for it.

2 Q. Do you know if that paper was filed with the
3 Court in the family proceeding you're referring to?

4 A. I believe it was.

5 Q. Was that in about 2014?

6 A. I -- I have no -- I mean, I'd be guessing. I
7 have no idea what year.

8 Q. Was this in a -- like a custody dispute?

9 A. Yes, uh-huh.

10 Q. All right. Do you recall kind of the general
11 substance of information that you got?

12 A. It was just the days that I worked, mornings,
13 nights, you know, the hours I worked, just things like
14 that. When I started working, you know.

15 Q. Got it. So Heartbreakers never paid you for
16 the hours that you worked, right?

17 A. No.

18 Q. Okay. And just so that -- to make sure we're
19 on the same page, all my questions are going to be about
20 on or after January 1st, 2017 forward --

21 A. Okay.

22 Q. -- because I know you worked at Heartbreakers
23 for a long time.

24 A. Yeah.

25 Q. So I just want to make sure we've got a clear

1 record.

2 A. Okay.

3 Q. So they never paid you for your hours worked.
4 They never paid you for the number of dances that you
5 performed, right?

6 A. Right.

7 Q. You never got money for selling a hamburger or
8 anything like that, right?

9 A. No.

10 Q. Never got money because a customer bought a
11 beer or a Jack and Coke?

12 A. I never got money, no.

13 Q. The club never cut you in on the money it made
14 from cover charges, right?

15 A. No.

16 Q. So how -- how did you make money at
17 Heartbreakers?

18 A. On stage, we would make money and doing dances.

19 Q. So as -- as a dancer, would you agree with the
20 statement that the way you made money was by selling
21 your entertainment services to customers?

22 A. The way we made money was by dancing. Is that
23 what you're --

24 Q. By dancing. Did you make money by spending
25 time with customers?

1 A. Well, the more time we spent with customers,
2 the more money we made and the club made as well. So we
3 were --

4 Q. How did --

5 A. -- encouraged to keep them spending, you know.

6 Q. How would you make money by spending time with
7 customers?

8 A. Well, they would buy food, drinks, just the
9 longer time we spent, you know, the more dances they
10 would buy, the more money they would spend.

11 Q. Did customers ever pay you just to sit and chat
12 with them?

13 A. If we were there -- if I was there with so
14 much -- like so much time, yes, they'd pay me.

15 Q. How would they pay you?

16 A. Sometimes it'd be cash, or sometimes it would
17 be a credit card.

18 Q. Did you have a preference?

19 A. No.

20 Q. So you said that you performed for customers on
21 stage obviously, right?

22 A. Right, yes.

23 Q. Did you agree to perform on stage for
24 Heartbreakers?

25 A. So that was the thing, is like whenever I did

1 agree to work there, I never agreed to be on stage, but
2 when we got -- when we were hired, we were told we had
3 to get on the stage.

4 Q. So are you talking about back in 2002?

5 A. At any time. Yeah -- well, yeah, the first
6 time I was hired.

7 Q. So the first time you were hired, you didn't
8 agree to perform on stage?

9 A. Right.

10 Q. At any point thereafter, did you agree to
11 perform on stage?

12 A. Well, it wasn't like -- so whenever I worked
13 there later, I mean, I knew that I was gonna have to
14 work on a stage, but I never got a description, like,
15 hey, you're gonna do this, this, and this, and you
16 have -- like, you know, it was never assigned. I never
17 signed and said, Yeah, I'm gonna work on the stage, you
18 know.

19 Q. Did you not want to perform on stage as a
20 dancer?

21 A. No.

22 Q. You didn't like to perform on stage?

23 A. (Witness moves head from side to side.)

24 Q. Why is that?

25 A. Because I -- I don't know. I just -- I would

1 make more money sitting with a customer than on stage.

2 Q. Do some dancers prefer to perform on stage, in
3 your experience?

4 A. I'm sorry?

5 Q. Do -- in your experience, do some dancers
6 prefer to perform on stage?

7 A. I'm not -- most of the girls complained about
8 it, but I mean, nobody really likes getting on stage.
9 It was something we had to do.

10 Q. So you saw no benefit from performing on stage
11 whatsoever?

12 A. No.

13 Q. So you disagree with the statement that
14 performing on stage was a way to kind of, like,
15 advertise your presence within the club, right?

16 A. Well, it was a way to advertise for the club.
17 It wasn't a way to advertise for ourselves, you know.

18 Q. Okay. In what way was it advertising for the
19 club?

20 A. Well, it was kind of giving -- you know,
21 showing them what girls they had there, so if, you
22 know -- like, if I was busy the whole night, they would
23 have never known I was there, or maybe I was their
24 preference or, you know, so if they don't know which
25 girls are there, then they're not gonna stay, or, you

1 know, if they walk in, they don't like what they see,
2 they don't like the vibe, you know, they're gonna leave.
3 So if you're walking out and you see this pretty girl on
4 stage, you're going to stay, and you're going to spend
5 money.

6 Q. Because dancers are what keep customers there,
7 right?

8 A. I'm sorry?

9 Q. Dancers are what keep customers at the club,
10 right?

11 A. Well, it's everything. You know, it's the
12 music, it's the food, it's the drinks. I mean, it's all
13 of it combined together, I would say.

14 Q. If there weren't any dancers at the club, do
15 you think that customers would still go?

16 A. Yeah, of course, but what I'm saying is when
17 you see a pretty girl, it's gonna make you want to stay.

18 Q. Sure. And so if the club doesn't have any
19 dancers --

20 A. And spend more money.

21 Q. Pardon?

22 A. And spend more money.

23 Q. Right. So if the club doesn't have dancers
24 there, customers aren't going to stick around to pay for
25 stuff, the food and booze?

1 MS. REZEZADEH: Objection; asked and
2 answered.

3 A. Well, they would if they were drinking at the
4 bar or, you know, having drinks and stuff they would
5 stay.

6 THE REPORTER: Can you repeat your
7 objection, please? I couldn't hear the last words.

8 MS. REZEZADEH: Asked and answered.

9 THE REPORTER: Thank you.

10 Q. (BY MR. KING) So I'm just trying to figure
11 out, you know, how Heartbreakers works. Different clubs
12 have different kinds of customers that come in, right?

13 A. Okay.

14 Q. Do you agree with that or disagree?

15 A. That -- I would agree that they have all the
16 same kind of -- I mean, they're all the same.

17 Q. Do customers all go to Heartbreakers for the
18 same reason?

19 A. I'm sorry?

20 Q. Do -- do all customers go to Heartbreakers for
21 the same reason, in your experience?

22 A. Like, to hang out.

23 MS. REZAZADEH: Objection; vague.

24 A. Like, to hang out, drink, have fun.

25 Q. (BY MR. KING) Okay. So some customers go to

1 drink, hang out and have fun, right?

2 A. Uh-huh.

3 Q. Do those customers also -- well, let me back
4 up.

5 Do some customers just go to hang and drink
6 and have fun?

7 A. Yes, some just go hang out.

8 Q. Did you ever have customer who -- sorry?

9 A. Some just go hang out.

10 Q. And they don't pay the dancers, right?

11 A. No.

12 Q. Okay. What are other reasons that the
13 customers go to Heartbreakers?

14 A. They would go, like, they would have a steak
15 night or things like that, and so the customers would
16 come in for that.

17 Q. Do you recall Heartbreakers ever running any
18 promotions in the past three years?

19 MS. REZAZADEH: Objection; vague.

20 A. So the only things I recall is, like, steak
21 night, ladies' night, things like that.

22 Q. (BY MR. KING) Did you ever have to participate
23 in any of those promotions?

24 A. If I was working there, I mean --

25 Q. How so?

1 A. So if it was ladies' night and the dances were
2 cheaper or things like that, I mean, I would participate
3 in that.

4 Q. How often was ladies' night?

5 A. I think they -- I think they ran once a week,
6 just like steak nights.

7 Q. And you said that during ladies' night, dances
8 were cheaper?

9 A. Yes.

10 Q. Are you talking about dances like on the floor?

11 A. Yes.

12 Q. How much cheaper were they?

13 A. Well, it's up to the dancer, whatever they made
14 their price.

15 Q. So was ladies' night like, all right, hey,
16 guys, bring your girlfriends or wives to the club, or
17 something like that?

18 A. Yeah. It was kind of like something like that,
19 you know.

20 Q. I guess I'm just trying to figure out --

21 A. I guess, like, couples.

22 Q. Couples?

23 A. Yeah. And they would get in, the girl -- the
24 couples, spouse or whatever would get in free.

25 Q. Sure. And so how much were your dance services

1 on ladies' nights?

2 A. 20 -- 15 to 20, and then they were -- stayed 25
3 if they were on a credit card, but for cash, 15 or 20.

4 Q. Okay. If it was on a credit card it was 25,
5 right?

6 A. Yes.

7 Q. And so you would get the 20, and the club would
8 keep -- keep 5?

9 A. 5. Well, I would get 20 in funny money. So we
10 had, like, this paper money that they would give us, and
11 then if we cashed it in, they would take a dollar from
12 every 20.

13 Q. And what -- what affected whether a -- a dance
14 on ladies' night would be 15 or \$20?

15 MS. REZAZADEH: Objection -- objection;
16 vague.

17 Q. (BY MR. KING) Go ahead.

18 A. I mean, it would be, like, if you got so many,
19 like -- if you got, like, over 20 dances, I'd give them
20 to you for 15 or, you know, like --

21 Q. So you -- you would sell basically like a bulk
22 package of dances, right?

23 MS. REZAZADEH: Objection --

24 A. Depending on the price. So like --

25 Q. (BY MR. KING) Okay. Explain.

1 A. Yeah. Just depending on the price. So, like,
2 if I sat with somebody for a very long amount of time.

3 Q. You would say what? Give me an example.

4 A. So if I sat with them for a long time, I would
5 charge them 15 on ladies' night, or if it was just, you
6 know, a dance here or there, then it would just be 20.

7 Q. How long is a long time?

8 A. An hour is a long time.

9 Q. I'd agree.

10 Okay. Aside from ladies' night, what other
11 promotions -- well, you mentioned steak night, right?

12 A. Uh-huh.

13 Q. When Heartbreakers would run steak night, did
14 you sell any steaks?

15 A. Yes. Well, yeah.

16 Q. All right. How did you --

17 A. When we deal with the customers, you know, we
18 would promote the steaks, like, Hey, get a steak, buy me
19 one, too.

20 Q. Okay.

21 A. Buy her one too, you know.

22 Q. Right. And did you make any money if they
23 bought a steak?

24 A. I didn't make any money off of it. I
25 personally didn't, but the club did.

1 Q. Right.

2 A. We were kind of encouraged, like, to sell the
3 steak, like, promote the steak, sell the steak.

4 Q. And what would you get in exchange for that?

5 A. We wouldn't get any cash off of that. It was
6 just, you know, they would walk through the club saying,
7 Hey, you know, it's steak night. Go sell the steak.
8 You know, get yourself a steak. Have your customer buy
9 us a steak, stuff like that.

10 Q. Would anything happen if you -- you didn't
11 pitch steaks?

12 MS. REZAZADEH: Objection; vague.

13 A. I -- it's just the manager would, like -- like,
14 we would get in trouble if we didn't at least try or,
15 you know, we would get in trouble. Like, we knew
16 whatever the manager told us to do, we had to do, or we
17 weren't going to be working there the next day.

18 Q. (BY MR. KING) How would you get in trouble if
19 you weren't pitching steaks?

20 A. Well, I mean, so they would just -- I guess the
21 waitresses would tell them, you know, like, Hey, Roxanne
22 is not trying to sell anything, or she hasn't -- you
23 know, so then they would come and tell us, like, Hey,
24 why are you not doing this? Why are you not -- and then
25 I would just say -- I mean, I don't know. I'm just

1 giving you an example.

2 Q. I know. That's all I'm asking for is what --
3 how was this encouraged. So a manager would say, Hey,
4 pitch some steaks?

5 A. Yeah. They would come and say, Hey, you know,
6 get them to buy us a steak. Get them to buy you a
7 steak. You know, you're making money. We're making
8 money. Just keep the ball going, you know, things like
9 that.

10 Q. Right. You're making money off of dances. The
11 club is making money off of steaks, right?

12 A. And drinks and stuff, and they make money off
13 of dances as well if I'm on a credit card, you know.

14 Q. Sure. But you make money off of dances. The
15 club makes money off of selling food and booze
16 primarily, right?

17 A. I guess. I mean, I'm not sure what they make
18 their money off of. I mean, I don't have, like, this,
19 you know, accounting that says, you know --

20 Q. I understand. But you worked there for 18
21 years.

22 A. Yes.

23 Q. So you know how the club works, right?

24 A. Primarily.

25 Q. I mean, you -- I assume you spent a lot of time

1 with Whitey and -- I think we lost your lawyer.

2 MR. KING: You want to go off the record?
3 We'll go off the record so your lawyer can log back in.

4 THE WITNESS: Okay.

5 (Recess from 1:56 p.m. to 2:06 p.m.)

6 (Requested portion was read.)

7 MS. REZAZADEH: I just want to state for
8 the record I got disconnected for that last, you know,
9 three, five minutes. My internet cut out. There were
10 some questions that were asked and answered that I
11 wasn't on the Zoom to object to, but at this time, I
12 don't have any objections to the ones that were read
13 back to me by the court reporter. Thanks.

14 MR. KING: Okie-doke.

15 Q. (BY MR. KING) Heartbreakers never trained you
16 how to -- how to dance, did they?

17 A. No.

18 Q. No one at Heartbreakers ever told you how to
19 perform on stage?

20 A. No.

21 Q. Heartbreakers never told you how to chat up a
22 customer?

23 A. How to what?

24 Q. How to chat up a customer to try to sell a
25 dance?

1 MS. REZAZADEH: Objection; vague.

2 A. I mean, they would just instruct us to keep
3 them, you know, spending or keep them longer buying
4 drinks, you know, things like that. I mean, I guess
5 that would be taught -- teaching me how to --

6 Q. (BY MR. KING) Okay. So I just want to --

7 A. Yes.

8 Q. -- make sure we're on the same page.

9 A. Yes.

10 Q. The answer is yes?

11 A. That they would show me how? Can you repeat
12 the question? I'm sorry.

13 Q. Sure. Your -- your work as an exotic dancer
14 was to entertain customers, right?

15 A. Right.

16 Q. And you would entertain customers by performing
17 dances for customers on the stage, right?

18 A. (Witness moves head up and down.)

19 Q. Right?

20 A. And off the stage, yes.

21 Q. And off the stage, right?

22 A. Yes.

23 Q. You would perform dances in the VIP area,
24 right?

25 A. Yes.

1 Q. You would perform dances in the booth area,
2 right?

3 A. Right, yes.

4 Q. You would also make money from customers who
5 wanted to hang out with you, right?

6 A. Yes.

7 Q. Okay. And so what I'm asking you is if you
8 ever received any training on how to do the things that
9 we've just talked about?

10 A. Yes.

11 Q. You did? Please tell me.

12 A. Like, they would -- like, how I said, they
13 would tell us how to -- well, on stage, you know, they
14 would tell us how to take -- take your clothes off. So
15 by the second song we had to take our clothes off. We
16 could only be in a thong.

17 Q. Okay. Did anyone ever tell you how to do a
18 pole dance?

19 A. The girls would show each other.

20 Q. But no one at Heartbreakers taught you how to
21 do a pole dance?

22 A. The girls at Heartbreakers.

23 Q. What I mean by anyone at Heartbreakers, I mean
24 any managers or other personnel.

25 A. No. They would just tell us, like, what to

1 wear and just to keep the -- keep them spending, or they
2 would tell us where to go sit, where the big spenders
3 were.

4 Q. Okay. So I take it from your answer that
5 somebody at Heartbreakers would point -- point your
6 attention to customers who were willing to spend a lot
7 of money on your services?

8 A. Yes.

9 Q. Why would they do that?

10 A. Because they would make -- everybody money, to
11 make the club money.

12 Q. Did it make you money?

13 A. If I danced for them, yes.

14 Q. You mentioned that they told you what to wear.

15 A. Yes.

16 Q. Tell me about that.

17 A. So like I said, if I was on stage and I was
18 wearing what I wanted to wear, they would come and say,
19 Hey, you need to take that off, or, Hey, get down to
20 your thong. You can't have nothing on.

21 Q. What -- what would they tell you you had to
22 wear?

23 A. Just the thong.

24 Q. Anything else?

25 A. No. You'd have to take everything -- so if I

1 had what I wanted to wear, they would come and tell me:
2 Take it off.

3 Q. Right. Aside from that, though?

4 A. No, that was it.

5 Q. Okay. Okay. I'm gonna show you Exhibit 1.
6 This is a photo that you produced, I believe, or a set
7 of photos. Can you see my screen, ma'am?

8 (Exhibit 1 shared.)

9 A. Yes.

10 Q. All right. This is Kibodeaux 81. Is this a
11 selfie of yourself?

12 A. Yes.

13 Q. All right. And is that the kind of attire that
14 you'd wear out when you'd start performing?

15 A. Somewhat, yes.

16 Q. So you're wearing boy shorts and looks like a
17 bikini top?

18 A. A bra.

19 Q. Bra, okay. Kibodeaux 82 looks like you have
20 kind of a mask thing going on there?

21 A. It was a costume.

22 Q. A costume. So you could wear a costume that
23 looks like this, right?

24 A. Right.

25 Q. Kibodeaux 83, I'm gonna -- did you take this

1 picture?

2 A. Yes.

3 Q. Did you take this picture at Heartbreakers?

4 A. Yes.

5 Q. What was the intent of this picture?

6 A. I was just taking a picture of my outfit that
7 day.

8 Q. Fair enough. So in any of these three pictures
9 that we've seen, are you out of compliance with any
10 attire rules that you've learned?

11 A. Only when we're on stage. So if we were on
12 stage, I would be out of attire.

13 Q. In what way?

14 A. I'd have to have my top off. Like I could only
15 have my bottoms.

16 Q. But --

17 A. But any -- even if the mask, like the mask
18 would have to come -- everything would have to come off
19 on the second song.

20 Q. Okay. But no one ever told you you couldn't
21 wear a floral print top?

22 A. No.

23 Q. No one ever told you you can't wear kind of
24 like a sheer top?

25 A. No.

1 Q. Okay. So that's what I'm asking, is what sort
2 of control did they exercise over you, or what sort of
3 control do you say they exercised over you over your
4 choice of attire, aside from --

5 A. When we were working on stage, yes.

6 Q. All right. But otherwise they didn't care,
7 though, did they?

8 A. So they didn't care, as long as we were showing
9 enough. So if we had a jacket or something, we couldn't
10 wear that, you know. If we had our shoes off, we
11 couldn't not have our shoes off. Like, we've got to
12 have shoes on. You know, there were -- there were some
13 rules.

14 Q. You couldn't walk around in the club barefoot,
15 right?

16 A. No, or even sit with your customer barefoot.
17 Like you had -- you know, I mean, after so many dances,
18 your feet get blisters.

19 Q. Sure.

20 A. You know, so you'd want to take your shoes off,
21 but we couldn't, even with blisters.

22 Q. Okay. You could have bought other kinds of
23 shoes, though, aside from dancer heels, right?

24 A. No, you have to have dancer heels. There's no
25 other.

1 Q. I take it the club prohibited you from wearing
2 closed-toed shoes?

3 A. Any -- like you couldn't wear flats or, you
4 know, like -- you know what I mean? Like flat shoes,
5 sandals. You couldn't wear sandals. You couldn't wear
6 flats. You'd have to wear heels, dancer heels.

7 Q. You never saw anyone wear flats?

8 A. No.

9 Q. You never saw anyone wear tennis shoes?

10 A. No.

11 Q. You never saw anyone wear cowboy boots?

12 A. No.

13 Q. Did anyone at Heartbreakers ever tell you how
14 to entertain customers?

15 MS. REZAZADEH: Objection; vague, asked and
16 answered.

17 A. Could I get, like, a more detailed question
18 'cause -- can you ask the question again differently?

19 Q. (BY MR. KING) Yeah. Did anyone at
20 Heartbreakers ever tell you, You need to entertain this
21 customer in some better way?

22 MS. REZAZADEH: Objection; vague.

23 A. They would just say like, Go sit with them.
24 They have the money, or they're big spenders, go, you
25 know, see what you can get or, you know, things like

1 that.

2 Q. (BY MR. KING) Did Damon ever tell you that
3 kind of stuff?

4 A. Damon?

5 Q. Uh-huh.

6 A. Yes.

7 Q. What would he tell you?

8 A. He would just tell me like -- well, Damon was
9 the main one who would tell me, look where the big
10 spenders were, or his friends were from a different
11 club, and they were coming in to spend money and things
12 like that.

13 Q. Did you resent his suggestions?

14 A. Well, if I was busy, you know, I wouldn't want
15 to go or, you know, things like that, but if they told
16 you to go somewhere, you kind of had to stop what you
17 were doing and go.

18 Q. What else would you be busy with?

19 A. Another customer.

20 Q. Another customer?

21 A. Yes.

22 Q. What else would Damon tell you?

23 MS. REZAZADEH: Objection; calls for a
24 narrative. Vague.

25 Go ahead.

1 A. I mean, I don't know right off the top of my
2 head. I was just answering a question. Sorry.

3 Q. (BY MR. KING) Well, that's why we're here, so
4 you can answer questions.

5 A. Yeah.

6 Q. So that's all right.

7 A. Yeah.

8 Q. Okay.

9 A. I mean, I just don't know what other stuff he
10 told me. I mean, I worked there a long time, so --

11 Q. Sure. And again, my focus is on the past three
12 years.

13 A. Okay. Okay.

14 Q. Did you -- did you ever perform for customers
15 who were wearing, like, sweat-stained clothing?

16 A. What -- what was that? Sweat-stained?

17 Q. Did you ever perform for customers who wore
18 sweat-stained clothing?

19 A. Sweat-stained, like they had a sweat, like
20 sweat, body odor?

21 Q. Yeah, like dirty clothing.

22 A. Yes.

23 Q. You did?

24 A. Yes.

25 Q. So the club let in customers who wore dirty

1 clothing?

2 A. That smelled like sweat and stuff, yes, and
3 there was this one older guy who came in and was always
4 like dirty, but because he was a big spender, they would
5 allow him in.

6 Q. Okay.

7 A. His name was Mr. Whiteman or something like
8 that. He was a well-known customer.

9 Q. He was a well-known customer. So the club
10 didn't, like, restrict who came in based on how they
11 dressed?

12 A. I guess, like, if they knew you were big
13 spenders, they'd let them in, you know.

14 Q. I take it you didn't want to perform for
15 customers who wore dirty clothing, right?

16 A. There was him, the one that I'm talking about
17 specifically that I didn't want to perform for.

18 Q. Were there any others -- any other types of
19 customers you didn't want to perform for?

20 A. Yes. I mean, yeah, if I was busy, you know, so
21 if I was busy and I got instructed to go somewhere else
22 and I didn't want to, I mean, I still had to.

23 Q. Okay. I'm just talking about customer types.
24 Customers wearing sweatpants, for example, dancers -- a
25 lot of dancers don't like to perform for those guys. Is

1 that your case, or do you just not care?

2 A. I mean, sweatpants, I don't -- I don't recall
3 like having a problem with sweatpants.

4 Q. Okay. Did the club give you a -- ever give you
5 a roster of customers you had to go perform for?

6 A. A roster, no.

7 Q. Did they ever give you like a list of, go
8 perform for John, Gary, Roger, in that order?

9 A. A list, no. They would just tell us.

10 Q. Tell you what?

11 A. Like who to go sit with.

12 Q. Okay.

13 A. Sometimes, you know, like if they knew one of
14 their friends were coming in, or they knew a big spender
15 was coming in, they'd send whoever they thought would
16 make the most money, like get them to spend the most
17 money, whoever they were interested in.

18 Q. Got it. So managers would tell dancers -- they
19 would handpick a dancer and say, Hey, go perform for
20 that guy?

21 A. Yes.

22 Q. And so what would they -- how would they pick
23 the dancer to, you know, go direct to some customer?

24 MS. REZAZADEH: Objection; calls for
25 speculation.

1 A. I don't know how they would -- I don't know how
2 they would pick them. They would just -- I guess
3 whatever they thought was -- they would like or -- I
4 mean, I don't know.

5 Q. (BY MR. KING) So it was kind of based on the
6 dancer's appearance?

7 A. Yes.

8 Q. Dancer personality?

9 A. Yes.

10 Q. Anything else?

11 A. And who was available, you know.

12 Q. Okay.

13 A. Who was there, you know.

14 Q. Sure. So it wasn't totally random, in other
15 words, right?

16 A. Like a random pick?

17 Q. Yeah.

18 A. I guess they would send certain girls that they
19 knew -- I guess more experienced or, you know.

20 Q. They wouldn't send a newbie over to perform for
21 some customer, right?

22 MS. REZAZADEH: Objection; calls for
23 speculation.

24 A. If the customer asked for her, yes, they would.

25 Q. (BY MR. KING) Sure. How often did that happen

1 in your situation?

2 A. I mean, it happened quite often. We always
3 had, you know, their friends come in or people that they
4 knew were regular customers, so I mean, we -- it was
5 happening often.

6 Q. Okay.

7 A. It wasn't like --

8 Q. Was it, like, once a week, once a month?

9 A. No. It was like any shift we worked and
10 somebody was there, you know, they would send us.

11 Q. Every shift?

12 A. If somebody was there that they wanted us to go
13 sit with, if it was every shift, yes.

14 Q. I'm just trying to figure out how common this
15 was.

16 A. It was pretty common. Like, you know, if they
17 knew their friends were there or their big spenders were
18 there, they'd go grab the girls and make them go get
19 them to spend money.

20 Q. Sure. And -- and correct me if I'm wrong.
21 This -- this process happened from some dancers more
22 than others, right?

23 A. Yes.

24 MS. REZAZADEH: Objection; calls for
25 speculation.

1 Q. (BY MR. KING) Were some dancers kind of like
2 left out in the cold -- left -- yeah, out in the cold?

3 MS. REZAZADEH: Objection; vague.

4 A. I -- I don't -- I don't know.

5 Q. (BY MR. KING) Were there favorites that the
6 managers had?

7 A. No. I mean, they were -- everybody was treated
8 pretty much the same. I mean, there wasn't like a
9 favorite, you know. We were all dancers. We were all
10 pretty much treated the same. It's just some got called
11 on more than the others.

12 Q. And why is that? That's what I'm trying to get
13 at, is why some got called on more than others.

14 A. Maybe -- I mean, I don't know. I don't know.
15 But we were all -- we were all treated the same. Like,
16 you know, we all had to wear shoes. We all had to
17 follow the rules. It was -- it was nothing. We all had
18 to pay skip fees. Even the DJ was dating one of the
19 dancers. She still had -- I mean, the rules were the
20 same.

21 MR. KING: Objection; nonresponsive.

22 Q. (BY MR. KING) I'm just trying to figure out
23 how some dancers got picked to go perform for certain
24 customers more than others. That's all.

25 A. I mean, I guess they were there more than the

1 others or something 'cause some girls worked more.

2 Q. Some performers worked less?

3 A. Some worked less than the other. Some were
4 there all the time. Some came -- you know.

5 Q. Some worked in the day more than night shifts?

6 A. Some worked in the day; some worked in the
7 night.

8 Q. Some performers like yourself worked for 18
9 years, or over the course of 18 years, and others
10 performed for, like, just a week, right?

11 A. Yes.

12 Q. Dancers come and go at Heartbreakers, true?

13 A. They are more dispensable. Like, they would
14 get fired, you know, more if, like -- I mean, we were
15 just scared to do anything really because they would
16 fire us if we didn't follow the rules.

17 MR. KING: Objection; nonresponsive.

18 A. We couldn't -- okay. Go ahead.

19 Q. (BY MR. KING) I'm just asking if dancers
20 had --

21 A. Okay. Go ahead. Sorry.

22 Q. -- variable lengths of time at Heartbreakers.
23 I get you want to tell me all the stuff that is in this
24 lawsuit, but I'll give you an opportunity for that.
25 This will go a lot faster if you just answer my

1 questions.

2 A. Okay.

3 MS. REZAZADEH: Do dancers come and go at
4 Heartbreakers? Sure.

5 MR. KING: What?

6 MS. REZAZADEH: Nothing.

7 Go ahead.

8 Q. (BY MR. KING) All right. How does the house
9 fee amount affect your -- your work as a dancer?

10 A. Well, sometimes I would go in and there --
11 like, let's say I went in on a slow shift, and there
12 weren't very many customers. So I would already owe on
13 top of just walking in the door; I would already owe.
14 So if I didn't make any money, I'd come out negative.

15 Q. I take it you worked slow shifts?

16 A. The day -- sometimes I would work the morning
17 shift.

18 Q. And sometimes you'd work busier shifts, right?

19 A. Night shifts.

20 Q. Night shifts were busier?

21 A. Yes.

22 Q. How did you determine when to work a slower
23 shift or a busier shift?

24 A. It was when I was available. So most of the
25 time, if I -- like, if I was at the other job and I had

1 a day off, I would work the daytime, but other than
2 that, I would work weekends, the busy shifts, like,
3 Wednesday -- Thursday through Sunday.

4 Q. Did you prefer working the busier shift?

5 A. Just whatever days I could work, really, I
6 would work. It wasn't a preference. It was just
7 whenever I could get there.

8 Q. Based on your other occupation and the schedule
9 you had with your other job?

10 A. With my kids.

11 Q. Based on your kids?

12 A. Based on kids, yeah.

13 Q. So Heartbreakers offered you that flexibility,
14 right?

15 A. I mean, to -- to work on whatever days we
16 decide, yes, but the hours, no.

17 Q. Okay.

18 A. Once we went in for a shift, we had to work the
19 full shift. There was no ifs, ands, or buts.

20 Q. Right. And so you could decide when to show
21 up, right?

22 A. Yes.

23 Q. All right. And you knew what the house fee
24 would be, depending on when you'd show up, right?

25 A. The house fee would vary, yes.

1 Q. Based on the time of day that you would show
2 up?

3 A. Based on the time of day, and then based on if
4 I got skipped during the shift or things like that. So
5 if we got skipped, we had to pay, so my house fee would
6 accumulate.

7 Q. All right. Did you ever decide not to work on
8 a shift because the house fee was too much?

9 A. Well, they would just put it, like, on our
10 books, like an IOU. So I mean, I would still work --
11 even though it was too much, I would still work, and
12 they'd just put an IOU.

13 MR. KING: Objection; nonresponsive.

14 Q. (BY MR. KING) So just what I'm asking is, was
15 there ever an instance where you said, you know, I don't
16 feel like paying \$57 for the house fee tonight. I'm not
17 going to go in?

18 A. Yes.

19 Q. Okay. How often would that be?

20 A. I'm not sure, I mean, an exact amount, but I
21 mean, if I went in during the day and I knew it was
22 gonna be a certain amount and I -- I mean, I was taking
23 a chance, you know.

24 Q. Sure.

25 A. I didn't want to work to pay the 50, but I

1 mean, I'd still have to.

2 Q. And so what I'm getting at is, I'm trying to
3 figure out how you factored in the amount of the house
4 fee into your scheduling decisions, or I don't know, did
5 it play a role at all? You tell me.

6 A. I mean, it played a role, but I knew if I
7 didn't have the money or wasn't gonna be able to pay, I
8 knew it would go in the IOU. I mean, it did play a
9 role.

10 Q. How else did it play a role in your scheduling
11 decisions?

12 A. I'm not sure.

13 Q. Did it not play a role in your scheduling
14 decisions?

15 MS. REZAZADEH: Objection; asked and
16 answered.

17 You can answer, Roxanne.

18 A. It did play a role, but I mean, I knew I still
19 had to work, whether I wanted to or not because of the
20 fee. Like, I knew I was gonna go in there having to pay
21 money already, and I didn't have that money.

22 Q. (BY MR. KING) Did managers ever waive the
23 house fee if you didn't make any money during a shift?

24 A. No. They would put it on an IOU, and
25 then whenever --

1 Q. Not once, they never waived it?

2 A. No.

3 Q. Damon never waived it, not once?

4 A. No.

5 Q. Whitey never waived it once?

6 A. Not by -- no. Like, he would have never --

7 like, they don't -- they don't waive house fees.

8 Q. Gary Wasek never waived it for you?

9 A. (Witness moves head from side to side.)

10 MS. REZAZADEH: Objection; asked and

11 answered.

12 MR. KING: I didn't ask about Gary.

13 Q. (BY MR. KING) Gary Wasek never waived it for
14 you?

15 A. (Witness moves head from side to side.)

16 Q. No? Did you ever ask anybody to waive the
17 house fee?

18 A. I mean, I did tell them, like, Hey, I didn't
19 make any money. And then they just put it on the IOU,
20 and you pay next time you come, or whenever you cashed
21 in your dance tickets, they would take that money from
22 that, whatever you owed them, before you could cash out.

23 Q. Aside from the time of day, how much did you --
24 or did the house fee vary in amount -- in the amount?

25 A. Not aside from the time of the day.

1 Q. What -- what was your preference for working
2 days or nights? Which one did you prefer?

3 A. I didn't have a preference. Whenever I was
4 available.

5 Q. Did you find that you made more money during
6 one sort of shift than another?

7 A. It would vary.

8 Q. It would vary?

9 A. Yeah. It just depends.

10 Q. So if you worked a slow shift and there weren't
11 very many customers there, you might actually make more
12 money than a busy night; right?

13 A. It just depends. The money depends --
14 depended. I mean, whether it was slow -- I mean, I
15 could make money depending, slow or busy.

16 Q. So what did your ability to make money depend
17 on?

18 MS. REZAZADEH: Objection; vague.

19 Q. (BY MR. KING) If it wasn't -- if it didn't
20 depend on whether it was slow or busy, like, what were
21 the other things it would depend on?

22 A. Like, my music, if I had bad music, I mean, I
23 wouldn't make any money.

24 Q. What sort of bad music would decrease your
25 ability to make money?

1 A. You know, like, depressing music or, like, a
2 dragging song or, like, this '40s song that they would
3 sometimes make us play.

4 Q. A '40s song?

5 A. Yeah, like you had to -- it couldn't be a
6 modern or an up-to-date song. It had to be from way
7 back.

8 Q. Like what, they'd play Frank Sinatra in the
9 club?

10 A. Yeah, something like that.

11 Q. And that would affect your ability to make
12 money?

13 A. Yes.

14 Q. Would they play oldies like during --
15 throughout an entire shift?

16 A. Yes.

17 Q. So there were instances in which Heartbreakers
18 would play Frank Sinatra and like --

19 A. When I got on the stage, me personally, I got
20 on the stage and I didn't like -- if the DJ had it out
21 for me, the manager had it out for me, they put me on
22 stage with, like, the most dragging song, and I'd have
23 to dance to it.

24 Q. Okay. What about when you were on the floor?
25 Did the music playing affect your ability to earn money?

1 A. The music did, yes. If the music was still on
2 the '40s music, then yes, I mean, it would be -- it
3 wasn't more of an entertaining song.

4 Q. So what -- what would deter customers from
5 paying you in those instances in which unfavorable music
6 was played?

7 MS. REZAZADEH: Objection; calls for
8 speculation.

9 A. Can you say it again?

10 MR. KING: Go ahead. Yeah, can you read
11 back the question, ma'am?

12 (Requested portion was read.)

13 A. They wouldn't want to dance. They would just
14 want to conversate, you know. It wasn't a song that
15 they would like a dance to.

16 Q. (BY MR. KING) Okay. Could you just wait for
17 the next song?

18 A. Yes, but it would cut into my money I could
19 have made another dance for.

20 Q. So waiting for the next song to play that a
21 customer wanted a dance for, that would cut into your
22 time, right?

23 A. Yes.

24 Q. And that would -- and by cutting into your
25 time, that would, in fact, reduce the amount of money

1 you would make, right?

2 A. It would take the money away, yes.

3 Q. Do you agree with the statement that managing
4 your time wisely when you're on the floor affects the
5 ability -- your ability to make money?

6 MS. REZAZADEH: Objection; vague.

7 Q. (BY MR. KING) You can answer.

8 A. Can you say it again?

9 Q. Well, I got a question for you. Are you
10 looking at something else on your screen?

11 A. No.

12 Q. No?

13 A. I'm looking at you 'cause you're on my screen,
14 so I'm looking at --

15 Q. Fair enough. I'm sorry you have to look at me.

16 A. I'm not looking at anything else. I'm just
17 looking at -- so it switches. You know, when somebody
18 speaks, you're on the bigger screen, and then when we're
19 on littler --

20 Q. Okay.

21 A. -- on top.

22 Q. Yeah, that's distracting. I just set mine up
23 on a grid.

24 A. Yeah. So that's what it's doing. So we're on
25 the top in little squares, but when you talk or whoever

1 talks, it comes in a bigger picture.

2 Q. Got it. So what I'm just trying to figure out
3 is, you mentioned that if the club played music that was
4 bad or slow, you would have to sit with the customer,
5 right?

6 A. (Witness moves head up and down.)

7 Q. And he might not pay you for a dance, right?

8 A. Right.

9 Q. And so you'd have to wait until the next
10 favorable song comes up, right?

11 A. Yeah.

12 Q. And while you're waiting, the customer is not
13 paying you, right?

14 A. It just depended on the customer, you know. I
15 mean, if they wanted to give you money, then yeah, and
16 if not, then no.

17 Q. And that was something you'd just have to work
18 out with that customer, right?

19 A. What was that?

20 Q. You would just have to work that out --

21 A. It was something we'd have to work it out?

22 Q. With the customer.

23 A. Yes.

24 Q. You probably didn't appreciate customers who
25 would just sit and talk and not pay you at all, right?

1 A. Yes.

2 Q. Your time on the floor is valuable to you,
3 right?

4 A. Yes.

5 Q. You made money based on selling dance
6 performances that are, what, three to five minutes long
7 on average?

8 A. Approximately.

9 Q. Okay. So how would the club manage your time
10 spent on the floor?

11 A. They would -- so if we were -- if I was busy
12 with someone else, you know, and they had somebody come
13 in, they would make me leave where I was at to go
14 fulfill whoever they wanted me to dance for, or if I was
15 just sitting down in the back on the phone, you know, we
16 weren't allowed to do that.

17 Q. Okay. So the club wouldn't allow you to make
18 money by -- not make money by sitting in the corner on
19 your phone, right?

20 A. Yes.

21 Q. Did you ever just want to sit around and not
22 make money?

23 A. I mean, sometimes when I was, like, tired or,
24 you know, from being on all stages and getting off,
25 like, I would want a break in between, but I just never

1 could.

2 Q. Every club that you performed at has a house
3 fee, right?

4 A. Yes.

5 Q. Heartbreakers is not unique in charging dancers
6 a house fee, true?

7 A. Well, based on the time. So theirs would vary.
8 It would be more or -- based on the time you got there.

9 Q. Are other clubs different?

10 A. Yeah. It would just be, like, \$20, you know.

11 Q. It was, like, a flat amount?

12 A. Right. It wouldn't be, like, you got here at
13 7:00; you're gonna give us 56, or --

14 Q. Do you recall which club that was at that
15 you're referring to?

16 A. Just the other clubs that I worked at.
17 Heartbreakers was just more -- they were just more --
18 more rules. There was more rules there.

19 Q. About the house fee?

20 A. About house fees, yes.

21 Q. If Heartbreakers had more rules than the other
22 clubs that you performed at, why did you continue to
23 perform there for 18 years?

24 A. Because you could wear the thong -- you know,
25 the -- not a full bottom. So the other clubs you had to

1 wear pasties and full bottoms.

2 Q. All right. I take it you did not have a
3 preference for wearing latex pasties?

4 A. Well, sometimes, yes, I did have a preference,
5 which is why I would stay at Heartbreakers.

6 Q. Aside from that, if Heartbreakers had more
7 rules and restrictions, why continue performing there?
8 Is there any other reason?

9 A. Just the money. I mean, the quick money, and
10 then just -- that was the main reason is that we didn't
11 have to cover the nipples with the pasties.

12 Q. Yeah. That was it?

13 A. And the full bottoms.

14 Q. And the bottoms?

15 A. Right.

16 Q. Okay. Did Heartbreakers attract a customer
17 base that paid more than other clubs?

18 A. They paid more in the -- on the credit card.

19 Q. So as compared to other clubs, the customers at
20 Heartbreakers tended to pay dancers more with credit
21 cards than customers at other clubs?

22 A. Yes.

23 Q. True?

24 A. Yes.

25 Q. How would that make you more money?

1 A. No. So you said that why would I stay at
2 Heartbreakers versus going to the other clubs if they
3 had more rules.

4 Q. Yeah.

5 A. Because of the -- the thong and the -- the
6 pasties.

7 Q. So you're willing to put up with Heartbreakers'
8 greater restrictions because they didn't require wearing
9 pasties?

10 A. Yes.

11 Q. Okay. Did Heartbreakers present you with
12 greater opportunities to make money versus other clubs?

13 A. What do you -- what do you mean?

14 Q. Did you find that Heartbreakers was a more
15 profitable club as opposed to other places that you
16 performed at?

17 A. The only -- I mean, I'm not sure. The only
18 reason why I stayed at Heartbreakers versus the other
19 ones was because, again, of the pasties and the --

20 Q. The bottoms?

21 A. Uh-huh.

22 Q. So even if you could have made more money at
23 another club, you still would have performed at
24 Heartbreakers because they didn't require pasties?

25 A. Yes.

1 Q. Why? I guess I'm just confused. Like, why was
2 the pasty thing so important?

3 A. I mean, it's just irritated -- it's like -- I
4 don't know. It's like an irritation, or like you have
5 it cover -- I mean, I don't know. It's just something
6 that I didn't like.

7 Q. Okay. How often did Heartbreakers require you
8 to use the VIP area?

9 A. As often as we could.

10 Q. How often is that?

11 A. Each dance.

12 Q. Each dance?

13 A. Yeah. So the dances you couldn't do on the
14 regular floor. You had to go to the booth.

15 Q. I'm talking about the VIP area, or the
16 executive room.

17 A. It was just encouraged to do your dances there.

18 Q. So how often were you required to perform in
19 the executive room?

20 A. As often as we could.

21 Q. And so how often was that in practice?

22 A. Probably to each customer.

23 Q. Every customer?

24 A. If -- if we could get them to buy the band,
25 yes.

1 Q. So the club required you to perform in the
2 executive room?

3 A. They wanted us to perform there. It was -- it
4 was wanted more to perform there to buy the band -- to
5 sell the band.

6 Q. Were you penalized if you did not perform in
7 the executive room?

8 A. We would just get like -- like I said, bad
9 music or an attitude or like -- I mean, they would be on
10 top of us, like looking for a reason.

11 Q. Did you -- did the club give you any money for
12 performing in the executive room?

13 A. No.

14 Q. They didn't give you \$5 or anything for every
15 customer you took up there?

16 A. They took the \$5 for every customer I took.

17 Q. And how much did you have to pay to access the
18 executive room?

19 A. It was mandatory 20.

20 Q. That you paid, right?

21 A. That I paid or the customer paid, whoever,
22 which one of us.

23 Q. And how would it be determined who would pay?

24 A. Well, if I didn't pay it, then -- if he didn't
25 pay it, then I had to pay it if we went.

1 Q. So what if you had a customers who was like,
2 no, I'm not paying, but you still wanted to go to VIP?

3 A. Then I would have to pay it.

4 Q. Okay. So you would have to negotiate that with
5 the customer?

6 A. Yes.

7 Q. What about in the booth areas? You would have
8 to pay the club to access the booth areas, right?

9 A. Right.

10 Q. Okay. And you would have to pay about \$20 for
11 every customer that you took to the booth area, right?

12 A. Yes.

13 Q. Okay. And the customer would never pay that
14 \$20, right?

15 A. Depending. So, like, the customer would either
16 give us the money or pay it or -- I mean, it just
17 depended. We always had to pay it, though.

18 Q. So the dancer always had to pay to get to
19 the -- to use the booth area --

20 A. Yes.

21 Q. -- right?

22 A. Yeah.

23 Q. And you could negotiate with the customer
24 whether --

25 A. He paid or I paid.

1 Q. Okay. And the \$20 that the club required was
2 per customer that you took back to the booth --

3 A. Per --

4 Q. -- true?

5 A. Each customer, yes.

6 Q. Okay. So there was never an instance in which
7 Heartbreakers said, okay, well, \$20, and you can use the
8 booth for the entire shift?

9 A. No.

10 Q. Not once?

11 A. No.

12 Q. And --

13 A. It was per customer.

14 Q. And if another dancer said that it was 20 per
15 shift, would they be lying?

16 A. Yes.

17 Q. Okay. If another dancer said that the club
18 charged customers to access the executive room, they
19 would be lying?

20 MS. REZAZADEH: Object to an incomplete
21 hypothetical.

22 A. Can you ask the question again?

23 Q. (BY MR. KING) Sure. Sorry, I was going a
24 little fast.

25 If another dancer has testified in this

1 case --

2 A. Uh-huh.

3 Q. -- that the club charges customers a certain
4 amount to access the executive room, would they be
5 telling the truth?

6 A. Well, they charged both of us. I mean, the
7 customer gets charged; I get charged. It's just who's
8 gonna pay it.

9 Q. And if another dancer testified that the club
10 would pay dancers a certain amount of money, 5 or \$10 to
11 use the executive room, would they be telling the truth?

12 A. The club would pay --

13 MS. REZAZADEH: Objection; incomplete
14 hypothetical.

15 A. -- us?

16 Q. (BY MR. KING) Yes.

17 A. No. I mean, they would not be telling the
18 truth, no.

19 Q. Okay. Did you use the VIP or the executive
20 room area sporadically?

21 A. Sporadically, meaning often or --

22 Q. Opposite of often.

23 A. Oh, like -- I used it often.

24 Q. You used it often. Was that the practice of
25 other dancers that you saw?

1 A. Yes.

2 Q. So the VIP area wasn't -- sorry, I keep saying
3 VIP area. The executive room was in high demand then
4 among dancers, right?

5 A. Yes.

6 Q. What about the booth area? Did you use the
7 booth area often or sporadically?

8 A. Often.

9 Q. How often on average during your shift did you
10 use the booth area?

11 A. Pretty often. I mean, I don't -- I don't know
12 like an exact amount, but often.

13 Q. Like, more than five times a shift?

14 A. Yes.

15 MS. REZAZADEH: Objection; asked and
16 answered.

17 Q. (BY MR. KING) More than 10? On average,
18 again.

19 A. More than five. I don't know.

20 MS. REZAZADEH: Objection; asked and
21 answered.

22 A. I don't know exactly how many, but, yes.

23 Q. (BY MR. KING) Yeah, I know.

24 A. Any time we would dance, it was always in a
25 booth or an executive. Like it was never on the floor.

1 We always had to occupy those rooms.

2 Q. Okay. I'm just trying to figure out on
3 average. Let's use a night shift, a busy night shift.

4 A. I mean, it would vary, depending on how many
5 customers I would sit with, you know, so if I sat with
6 20 customers, it would be 20 times. You know, it just
7 depends.

8 Q. Right. So it would depend on how many
9 customers are there?

10 A. No. How many I took back there, like, how many
11 I sat with.

12 Q. How many customers you approached would dictate
13 how many you got back to the booth?

14 A. Yes.

15 Q. Okay. In order to start a shift at
16 Heartbreakers, you'd have to check-in with the DJ,
17 right?

18 A. Yes, and the door girl.

19 Q. And the door girl?

20 A. Uh-huh.

21 Q. Right?

22 A. Yes.

23 Q. Okay. How did the check-in procedure affect
24 your work as a dancer?

25 MS. REZAZADEH: Objection; vague.

1 A. The check-in process, I don't know. We were
2 just rushed to get ready and get on the floor, like it
3 was mandatory. You're in here, get ready and get out.

4 Q. (BY MR. KING) Okay. So how did the check-in
5 procedure affect your ability to work?

6 MS. REZAZADEH: Objection; vague.

7 Q. (BY MR. KING) If at all?

8 A. It -- it affected it. I'm just -- I'm just not
9 understand -- like, I don't know how to word or how to
10 explain it to you, you know, how it affected.

11 Q. Okay. Did you view the check-in requirement at
12 Heartbreakers as some sort of control over your work as
13 an exotic dancer there?

14 A. Yes. And it would determine on how much I was
15 paid. So if I wasn't -- if I was there at 4:00, but I
16 wasn't ready at 7:00, they would charge me the 7:00, not
17 the 4:00.

18 Q. Why would you be there at 4:00 if you weren't
19 ready until 7:00?

20 A. So if I got there -- I mean, we take a long
21 time to get ready, right? We take a couple of hours.

22 Q. Uh-huh.

23 A. So if I got there at 4:00 and I wasn't ready
24 till 7:00, then he would clock me at -- like, charge me
25 the 7:00 tip-out. It wasn't the 4:00 when I got there.

1 Q. Okay. Heartbreakers required you to get ready
2 in the dressing room, right?

3 A. Yes.

4 Q. Okay. You were prohibited from putting on your
5 makeup and attire at home and then appearing for work or
6 clocking in?

7 A. I never --

8 MS. REZAZADEH: Objection --

9 A. It was never like a clock-in. We just checked
10 in and let them know that we were there.

11 Q. (BY MR. KING) Or checked in, right? So
12 Heartbreakers prohibited you from, you know, putting on
13 your makeup and attire at home and then clocking in,
14 right?

15 MS. REZAZADEH: Objection; misquoting the
16 deponent.

17 Go ahead.

18 A. We could get ready anywhere we wanted to. It's
19 just depending on the time we were ready is the time --
20 is the amount we were gonna get paid.

21 Q. (BY MR. KING) Heartbreakers restricted the
22 amount of time that you could spend in the dressing area
23 or the locker room before you clocked in, right?

24 A. It would just go on our pay, like, however much
25 we were gonna pay.

1 Q. Okay. Whitey would come in and tell you,
2 You've only got 15 minutes to put your stuff on, right?

3 A. Whitey would come in and say, Hurry up, get out
4 on the floor.

5 MS. REZAZADEH: Objection.

6 MR. KING: What's the objection?

7 MS. REZAZADEH: No, go ahead.

8 Q. (BY MR. KING) Go ahead, ma'am.

9 MS. REZAZADEH: She said -- she answered.

10 Q. (BY MR. KING) Whitey would --

11 MS. REZAZADEH: You want to read it back,
12 Caroline?

13 Q. (BY MR. KING) Whitey would come in and tell
14 you how long you've got to put your stuff on?

15 A. He would come back and tell us to hurry up and
16 get out on the floor.

17 Q. Okay. Same thing with Damon?

18 A. Uh-huh, yes.

19 Q. Okay. So if you took two hours to put your
20 makeup and attire on, that would be a problem, right?

21 A. Yes.

22 Q. So was that a problem every day that you
23 performed at Heartbreakers?

24 A. Yes.

25 Q. So over the course of 18 years, it was a -- it

1 was a problem for you to spend two hours in the dressing
2 room putting on your attire 'cause that was taking too
3 long --

4 A. Yes.

5 Q. -- right?

6 A. (Witness moves head up and down.)

7 Q. Okay. And how many times did you get fired
8 over that?

9 A. Fired over not getting ready?

10 Q. Uh-huh.

11 A. I didn't get fired for that.

12 Q. How many times did Whitey tell you that you had
13 to tip him for taking too long in the dressing room?

14 A. We would just tip at the end, and they would
15 split, like whatever, depending on however [sic] money
16 we made.

17 Q. Okay. So -- so again, my question was: How
18 many times did Whitey, or any other manager, for that
19 matter, fine you for spending too much time in the
20 dressing room?

21 A. None.

22 Q. None?

23 A. No, not like a fine.

24 Q. Well, what would it be then?

25 A. We would just get asked -- like, they would get

1 after us.

2 Q. Okay. Heartbreakers drew customers to the club
3 because of its atmosphere, right?

4 A. Yes.

5 Q. And Heartbreakers drew customers -- or
6 customers came to Heartbreakers because of its selection
7 of decor, like furniture and curtain colors and stuff
8 like that, right?

9 A. Yes.

10 Q. Customers went to Heartbreakers because of the
11 kinds of liquor it had on stock, right?

12 A. Yes.

13 Q. Heartbreakers came to -- or customers went to
14 Heartbreakers because of the ads it -- it put out there,
15 right?

16 A. Yes.

17 Q. All right. What ads?

18 A. Like steak night, things like that.

19 Q. Yeah. Did you ever see any of those ads?

20 A. Yes.

21 Q. Where were they put -- published?

22 A. They have like a big -- like a welcome sign, I
23 guess, and it has, like, this digital -- so that would
24 fly through there daily, and then on the tables, you
25 know, they would have, like, little fliers, like little

1 cards type...

2 Q. How many customers in your experience came to
3 Heartbreakers because of the kind of decor and furniture
4 it has?

5 A. Often. I mean, they enjoyed being there. You
6 know, the way it was set up, people enjoyed being there.
7 You know, it was more like a cowboy-ish or
8 western-style, you know, like the decor. I mean, they
9 enjoyed it.

10 Q. Yeah. How many customers told you that they
11 really liked Heartbreakers' sofas?

12 A. Heart -- their sofas?

13 Q. Uh-huh.

14 A. I mean, they just -- they enjoyed everything
15 about Heartbreakers. Not like they said, Hey, I really
16 loved this seat. I mean, they just loved the whole
17 atmosphere. Like, they loved, you know, all of it going
18 together. It wasn't just, like, a seat.

19 Q. Right. And those customers who came to
20 Heartbreakers because they liked just kind of the
21 overall atmosphere, they paid you more money, didn't
22 they?

23 MS. REZAZADEH: Objection; misquoting the
24 deponent. Too general.

25 You can answer, Roxanne.

1 A. No.

2 Q. (BY MR. KING) No?

3 A. You said they paid me more money?

4 Q. Yeah. Were they more lucrative customers?

5 A. I'm sorry?

6 Q. Were they -- were they more lucrative
7 customers, the customers who came for the atmosphere?

8 A. The ones who enjoyed the atmosphere and stuff,
9 they would be big spenders. They would spend more
10 money.

11 Q. They would be big spenders. Who would come to
12 the club who wasn't a big spender?

13 A. More like the younger generation, you know, the
14 younger guys.

15 Q. Would they come for the atmosphere too?

16 A. They would come just to -- for the atmos- --
17 they were the main ones that would come, just -- you
18 know, not spend any money. They would just hang out.

19 Q. So the big spenders and the younger guys who
20 were not big spenders, they would both come for the
21 atmosphere?

22 A. Yes.

23 Q. So how would the atmosphere affect who -- you
24 know, how much money you would make if it attracted both
25 of these groups?

1 A. Well, it attracted the younger generation, and
2 they wouldn't really spend much. You know, they would
3 just -- they just liked to be there and the atmosphere.

4 Q. Sure.

5 A. And the big spenders, they would spend more
6 money.

7 Q. Right. So, again, I guess my question is -- I
8 guess I'm just sort of confused.

9 A. Yeah. You're confusing me. You're kind of --

10 Q. 'Cause I'm just trying to figure out how the
11 atmosphere of the club -- let me back up.

12 The club controls its own atmosphere,
13 right?

14 A. Uh-huh.

15 Q. And so how does the club's exercise of control
16 over its atmosphere affect the amount of money you could
17 make?

18 A. Well, I guess if they were enjoying themselves,
19 they would spend more money, and if they weren't
20 enjoying themselves --

21 Q. Right. Once they're already in the club,
22 right?

23 A. Yes.

24 Q. Okay. Did customers ever pay you because they
25 enjoyed the atmosphere at the club?

1 A. Oh, they would just pay me, like, just sitting
2 there. I mean, if we -- you know, we just had time, you
3 know, like, talking --

4 Q. Right.

5 A. -- they would be --

6 Q. So is it fair then to say that it didn't really
7 matter what you did as far as your interactions with
8 customers because the atmosphere is what caused them to
9 pay you?

10 A. They had a --

11 MS. REZAZADEH: Objection; argumentative,
12 vague.

13 Q. (BY MR. KING) Go ahead.

14 A. I would say I had a play in it, you know.

15 Q. But it wasn't a very important part, right?

16 MS. REZAZADEH: Objection; misquoting the
17 deponent.

18 A. I would say it is important to have a nice
19 atmosphere.

20 Q. (BY MR. KING) I was just talking about the
21 part that you play.

22 A. Working there?

23 Q. No. The part that you -- you play in getting a
24 customer to pay for your dance services.

25 A. So you think that the atmosphere doesn't have

1 part on that? Is that what you're saying?

2 Q. I'm just asking you.

3 A. It does. It has a part on it.

4 Q. Right. And what I'm asking you is if you also
5 play any part in that, in getting customers to pay you
6 for dances?

7 A. Okay.

8 Q. Do you, or did you?

9 A. Did I play in getting them to pay me?

10 Q. Yeah.

11 A. Yeah. I mean, I work there.

12 Q. Well, how'd you do it?

13 MS. REZAZADEH: Objection; vague. Too
14 general.

15 A. I don't know. I mean --

16 MS. REZAZADEH: You can answer, Roxanne, if
17 you can.

18 Q. (BY MR. KING) I'll move on in a second. I'm
19 just trying to figure something out here.

20 THE WITNESS: I didn't hear what you said,
21 Ellzey, on the last -- I didn't hear before he said
22 he'll move on in a second.

23 MS. REZAZADEH: Oh, I was just saying you
24 can answer it --

25 THE WITNESS: Oh, okay.

1 MS. REZAZADEH: -- if you can.

2 Q. (BY MR. KING) In your line of work, how
3 important is it that the club, you know, advertises or
4 spends promotions in relation to the amount of money
5 that you can make?

6 A. It's important.

7 Q. Okay. Why?

8 A. I mean, 'cause they're the ones who draw --
9 their atmosphere is the one who brings the customers in.

10 Q. Okay. The club has customers that it has drawn
11 in. Are those customers guaranteed to pay you?

12 A. No.

13 Q. Why? Why aren't they guaranteed to pay you?

14 MS. REZAZADEH: Objection; too general.

15 Go ahead, Roxanne. You can answer.

16 A. I mean, it's not a guarantee that they're gonna
17 pay me.

18 Q. (BY MR. KING) Right. So what would make them
19 pay you?

20 MS. REZAZADEH: Same objection.

21 A. Sitting with them, dancing with them.

22 Q. (BY MR. KING) And is that something that you
23 control?

24 A. I don't -- I don't know the answer to that. I
25 mean, I don't know.

1 Q. You don't know, even though you worked there
2 for 18 years?

3 A. Yeah.

4 Q. They just -- some customers paid you, and some
5 didn't, right?

6 A. Some customers paid; some didn't.

7 Q. And you had no part to play in that, right?

8 MS. REZAZADEH: Objection; misquoting the
9 deponent.

10 Q. (BY MR. KING) Right?

11 A. I -- I don't know. I don't know. I'm confused
12 on the question, I guess.

13 Q. There's nothing you could do that might cause a
14 customer to pay -- pay you, right?

15 A. There's nothing I can do to cause a customer to
16 pay me?

17 Q. Uh-huh.

18 A. I mean, I can dance.

19 Q. Right. Customers don't have to pay for your
20 dance. We've already established that, right?

21 A. Well, they have to pay for the dances.

22 Q. What if they don't want any?

23 A. If they don't want any dances?

24 Q. Uh-huh.

25 A. Well, the club would handle it, I guess.

1 Q. The club would handle it? How?

2 A. I mean, if I sat with someone and they are not
3 wanting to pay me my money, or I mean, they would handle
4 it.

5 Q. How would the club handle it?

6 A. Either make them leave or make them pay. I
7 mean --

8 Q. So there were instances in which the club would
9 force customers to pay you for dances?

10 A. If they didn't pay me my money, yes, they would
11 make them pay me.

12 Q. Like, if you had negotiated an amount for
13 dances and a customer said, No, I'm not gonna pay her,
14 the club would help you recover that money?

15 A. They would talk to them and have them help pay
16 me.

17 Q. Okay. All right. And we already established
18 that -- well, I shouldn't say we've established. I just
19 can't remember.

20 Is it your position that without exotic
21 dancers, no one would go to Heartbreakers?

22 A. I didn't say that.

23 Q. You did?

24 A. No.

25 Q. No, you did not?

1 A. No.

2 Q. Customers would still go to Heartbreakers
3 without any dancers?

4 A. Yeah. Just like an ordinary bar or --

5 Q. Okay. Oh, I forgot to ask you, do the number
6 of dancers affect its atmosphere?

7 A. Does the number of dancers affect -- yes. So
8 if there was only five dancers, the rotation would be
9 numerous, like over and over and over.

10 Q. Right.

11 A. And then if there was, you know, a lot of
12 girls, then we would be spread out. Like, it would be
13 less amount of time.

14 Q. So would more customers go to the club if there
15 were more dancers there?

16 A. I mean, I don't know.

17 Q. You work shifts where there might have only
18 been a handful of dancers, right?

19 A. Yes.

20 Q. Like during the daytime?

21 A. Yes.

22 Q. What was the least number of dancers that you
23 can recall ever seeing at the club?

24 A. That I recall, three.

25 Q. Yeah.

1 A. Three to five maybe.

2 Q. Three to five. What's the most amount that you
3 recall?

4 A. A lot, probably like 30, 40.

5 Q. Upwards of 30, 40?

6 A. (Witness moves head up and down.)

7 Q. Do customers like going when there aren't very
8 many dancers?

9 A. Yeah, they like going. It doesn't -- they like
10 going when there's just a few -- some like it, you know,
11 when it's calm and collective and, you know, they get to
12 have a little bit more quiet time, you know, like more
13 personal than when it's more loud. I mean, I guess it
14 just depends.

15 Q. Some customers go to Heartbreakers if they
16 want, like, the party vibe, right?

17 A. Right. And then some go whenever there's less
18 dancers just for the mellow vibe.

19 Q. The guys that really just want to, like, chat
20 and have a drink and --

21 A. Just hang out.

22 Q. Right. And some dancers cater to the party
23 group, right?

24 A. I mean, it was just sporadically. I mean, I
25 don't know. I don't know what other dancers did. I

1 don't know.

2 Q. What was your preference? Who did you like to
3 cater to?

4 A. Whoever was paying really. I mean, it didn't
5 really matter.

6 Q. Did you find --

7 A. I like -- what was that?

8 Q. Did you find more success with, like, the guys
9 who wanted the quiet atmosphere?

10 A. Really, it was just -- it just depends. It
11 wasn't -- it wasn't like, a preference, like, night or
12 day or wild or slow. Like, it wasn't a preference. It
13 just really depended.

14 Q. It just depended on your ability to cater to
15 whatever that customer wanted, right?

16 A. On the customer, whatever they wanted.

17 MS. REZAZADEH: Misquoting the deponent.

18 Q. (BY MR. KING) And a lot of it depended on what
19 the customer liked, what he or she sees, right?

20 A. Yes.

21 Q. Can you -- can you tell me about how much you
22 spent on makeup, attire, all the dancer stuff, just on
23 a -- I don't know, like on a monthly basis?

24 A. I mean, I don't have a certain amount, but it
25 was very expensive. Like, just the heels were \$200, you

1 know. The outfits were 2- to \$300 as well. Makeup,
2 hair, another 3-, \$400, you know.

3 Q. And the club never reimbursed you for any of
4 that, right?

5 A. No, no.

6 Q. About how much on average would you spend on,
7 you know, dancer gear, for lack of a better term?

8 MS. REZAZADEH: Objection; asked and
9 answered.

10 Go ahead.

11 A. Yeah. I don't know a specific amount. It was
12 just very expensive, I know. I know that.

13 Q. (BY MR. KING) Can you --

14 A. It costs to maintain.

15 Q. Can you ballpark on a yearly basis?

16 A. Thousands, I mean...

17 Q. Thousands?

18 A. Yes. It was very expensive. I mean, makeup
19 alone is expensive, you know.

20 Q. My wife tells me.

21 A. You should check your credit card.

22 MR. KING: Caroline, do you need a break?

23 THE REPORTER: No, I'm okay.

24 MR. KING: Okay.

25 MS. REZAZADEH: I could take a break.

1 MR. KING: Okay.

2 (Recess from 3:11 p.m. to 3:31 p.m.)

3 Q. (BY MR. KING) Okay. Ms. Murillo, we are back
4 on the record.

5 Before the break, you were talking about
6 how you spent thousands of dollars on attire,
7 appearance, makeup, those sort of things, right?

8 A. Right.

9 Q. Okay. Were all those things essential for your
10 work as an exotic dancer at Heartbreakers?

11 A. Yes.

12 Q. Why were they essential?

13 A. Because we were required to wear certain
14 things. Like, we couldn't wear a T-shirt and pants, you
15 know. We had to wear the costumes. We had to wear
16 heels. We had to be dressed and ready. Like, we
17 couldn't just walk out there.

18 Q. All right. So the club made you buy \$200
19 shoes?

20 A. Yes.

21 Q. All right. And the club made you buy multiple
22 pairs of \$200 shoes, right?

23 A. Yes.

24 Q. The club didn't like it if you used the same
25 shoes on two consecutive nights, right?

1 MS. REZAZADEH: Objection; misquoting
2 deponent.

3 A. We can wear them two nights, but if they
4 started to get, like, dirty and dingy, then, yeah, we
5 had to get new ones.

6 Q. (BY MR. KING) You probably wouldn't make very
7 much money as a dancer if you were wearing dirty or
8 dingy shoes, would you?

9 A. I don't know. I don't know. They -- I don't
10 know.

11 Q. The club required you to buy expensive makeup?

12 A. They required us to wear makeup, so -- I mean,
13 to look good.

14 Q. The club didn't let you buy kind of cheaper
15 cosmetics?

16 A. Well, the cheaper cosmetics don't work as good
17 as the expens- -- you know, the high dollar. You're in
18 a bright light, so --

19 Q. So you were forced to buy expensive cosmetics
20 by the club, right?

21 MS. REZAZADEH: Objection; misquoting
22 deponent.

23 A. We had to buy makeup.

24 MS. REZAZADEH: You can answer, Roxanne.

25 A. Yeah, we had to buy --

1 MR. KING: I'll just state on the record
2 that the deponent looks like she just got up.

3 THE WITNESS: I had to close the door so
4 you don't hear the baby. Sorry.

5 A. So yeah, we had to buy makeup, and the makeup
6 couldn't be cheap makeup because it's in the bright
7 lights. So I mean, you know, with the customers
8 approaching, it won't -- you won't look good.

9 Q. (BY MR. KING) Okay. And so Whitey would tell
10 you to go -- Whitey, for example, would tell you to go
11 buy better makeup, right?

12 MS. REZAZADEH: Objection; misquoting the
13 deponent, argumentative.

14 You can answer, Roxanne.

15 A. I mean, he didn't say, like, Go buy more
16 expensive makeup, but it was, like, You've got to look
17 good. Like, you've got to wear makeup, you know.
18 You've got to wear heels. You have to have your hair
19 done.

20 Q. (BY MR. KING) So how would you decide how much
21 to spend on all of these things that we've been
22 discussing?

23 A. Like, whatever I needed. I mean, if I needed
24 it for work to make money, I mean, I had to get it.

25 Q. Is that left up to you, or did the club tell

1 you how much to spend on these items for your job?

2 A. I mean, they played a part in it, but they
3 didn't, like, tell us exactly, like, you have this X
4 amount of money to spend on it. You know, it was just
5 get what, you know -- these are the things you need and,
6 you know, I mean, we bought it.

7 Q. You maintain a Facebook page, correct?

8 A. Yes.

9 Q. And that's Roxanne Renee 007, right?

10 A. Yes.

11 Q. Do you maintain any other social media
12 accounts?

13 A. Instagram.

14 Q. So we've got Instagram. What's your user name
15 on Instagram?

16 A. Instagram is Pink Lady 38 SPC.

17 Q. What about Twitter?

18 A. I mean, I have it, but it's not -- I don't use
19 it. I don't know how.

20 Q. OnlyFans?

21 A. No.

22 Q. Model Mayhem?

23 A. No.

24 Q. So the only -- only two social media accounts
25 that you maintain are on Instagram and Facebook, right?

1 A. Yeah, yes.

2 Q. What about Snapchat?

3 A. I rarely.

4 Q. All right. What's your user name on Snapchat?

5 A. Roxanne Renee.

6 Q. On any of these social media accounts that
7 we've now discussed, have you ever posted anything about
8 your work at Heartbreakers?

9 A. No. No.

10 Q. Have you ever communicated with any other
11 dancers about Heartbreakers using these social media
12 accounts?

13 A. No.

14 Q. Have you ever sent any direct messages to any
15 other dancers on Facebook or -- or Instagram about
16 Heartbreakers?

17 A. No. It's not for, like, those -- it's not for
18 dance -- it's just for family. It's not --

19 Q. Got it. I just wanted to make sure that I
20 understand what's out there.

21 Have any of Heartbreakers' personnel,
22 meaning DJs, bartenders, waitresses, managers, owners,
23 have any of those individuals communicated with you on
24 social media in the past three years?

25 A. No. I don't -- I don't use social media for

1 that. It's just for family and my kids.

2 Q. Understood. Have any of these Heartbreakers
3 people that I've just described texted you in the past
4 three years about your work at Heartbreakers?

5 A. No.

6 Q. So you have no text messages with any managers
7 about performing, right?

8 A. No. Right.

9 Q. And the same goes with Heartbreakers' owners;
10 you've never texted Peggy or Mike?

11 A. No.

12 Q. All right. What about other dancers? Have you
13 texted any dancers in the past three years about your
14 work at Heartbreakers?

15 A. No.

16 Q. Not once?

17 A. No.

18 Q. Have you contacted any other performers about
19 joining this lawsuit against Heartbreakers?

20 A. No.

21 Q. How did you find out about this lawsuit?

22 A. An aunt or a cousin, somebody had told me about
23 it, and so I contacted a lawyer to see if -- you know,
24 what was going on, like, if there was a case or if I had
25 a case or --

1 Q. Is your aunt or cousin a performer at
2 Heartbreakers?

3 A. No. I'm not sure where they got it from. They
4 just called me one day and said that there is something
5 out there like that, and for me to -- you know, they
6 knew I was dancing, so --

7 Q. Sure. Okay.

8 So a family member saw something on the
9 internet?

10 A. Yes.

11 Q. Okay.

12 A. I mean, I'm not sure where they seen it. I
13 don't know where they heard it or seen it. They just
14 let me know, and then I contacted a lawyer.

15 Q. That's fine. And since learning about this
16 lawsuit, again, your testimony is you haven't contacted
17 any other performers at Heartbreakers about joining the
18 lawsuit?

19 A. Correct.

20 MS. REZAZADEH: Objection; asked and
21 answered.

22 Q. (BY MR. KING) Have you attempted to contact
23 any other dancers?

24 A. No.

25 Q. Do you want other dancers to join this lawsuit

1 with you?

2 A. Yes.

3 Q. Why?

4 A. Well, I mean, I feel like if I was -- if I was
5 mistreated or, you know, what -- if it wasn't what we
6 signed up for, I believe we're all into it. Like, I
7 believe it's fair for everybody to know, you know,
8 what -- the way we were treated was wrong.

9 Q. Do you want, as part of this lawsuit, for
10 Heartbreakers to treat all of its dancers as employees
11 who receive a schedule?

12 MS. REZAZADEH: Objection; vague.
13 Incomplete hypothetical.

14 A. Can you ask the question again?

15 Q. (BY MR. KING) As part of this lawsuit, do you
16 want Heartbreakers -- let me back up.

17 As a result of this lawsuit, do you want
18 Heartbreakers to treat all of its performers as
19 employees who will receive schedules?

20 MS. REZAZADEH: Objection; incomplete
21 hypothetical.

22 A. I mean, I just wanted to be treated fair.
23 Like, if we are what they say we are, then treat us as
24 what we signed up for, you know. Not sign up for one
25 thing and it's a whole other ball game once you're on.

1 Again, I would want them to -- I would want there to be
2 rules, like, legally rules for this not to happen again.

3 Q. (BY MR. KING) Right.

4 A. I mean, I worked there 18 years, you know.

5 Q. Right. That's a long time.

6 So did anyone at Heartbreakers bully or
7 mistreat you before you left?

8 A. Well, I was just -- so the day that I left, I
9 needed to -- something happened with my babysitter. I
10 wasn't able to work, so I needed to leave, and I had
11 only been there not even two hours into the shift. I
12 asked to leave, and I mean, it was like -- I was -- it
13 was like wrath. You know, I opened up a book of wrath,
14 and so, like, I knew that I was fired, and I couldn't go
15 back.

16 Q. Who opened --

17 A. I would say I was bullied out of there.

18 Q. Who opened up the book of wrath?

19 A. Whitey.

20 Q. And what did he tell you?

21 A. He just said, like, you know, I know the rules.
22 You know, once you're there, you're there. There's no
23 leaving early. If I want to leave early, that just not
24 to come back.

25 Q. Okay. Was that experience what caused you to

1 file suit?

2 A. No. The -- what caused me to file suit is just
3 all these years of being not treated the way we're
4 supposed to.

5 Q. Do you have any other pending lawsuits?

6 A. No.

7 Q. You haven't sued any other clubs?

8 A. No.

9 Q. You -- you understand that you had sued Mike
10 Armstrong, Peggy Armstrong and A&D Interests,
11 Incorporated, doing business as Heartbreakers, right?

12 A. Yes.

13 Q. What damages are you seeking?

14 A. I'm not sure. I -- that's -- I'm not sure.

15 Q. Okay.

16 A. Whatever is -- whatever it is that, you know,
17 I'm owed.

18 Q. Okay. Well, what are you owed?

19 A. I don't -- I mean, I don't know.

20 Q. Do you -- do you want a jury to find that you
21 are entitled to receive \$7.25 an hour for all hours that
22 you worked at Heartbreakers?

23 A. That -- I want what was fair. I mean, I don't
24 think \$7.25 minimum wage is fair for -- fair for that.

25 Q. Exotic dancing is not easy work, is it?

1 A. No.

2 Q. You would not take off your clothes and perform
3 for customers if you were paid \$7.25 an hour, would you?

4 MS. REZAZADEH: Objection; incomplete
5 hypothetical.

6 Q. (BY MR. KING) Right?

7 A. No.

8 Q. So are you -- are you going to ask the jury to
9 award you more than \$7.25 an hour for the time that you
10 worked at -- at Heartbreakers?

11 MS. REZAZADEH: Objection; asked and
12 answered.

13 Roxanne, you can answer if you know the
14 answer.

15 A. I mean, I don't know an amount, or I mean, I
16 don't know what I would be owed. That's what we're here
17 for.

18 Q. (BY MR. KING) I understand. But you have been
19 listed as an individual who has knowledge of her
20 damages, and you filed a lawsuit because you want money,
21 right?

22 A. I want --

23 Q. True?

24 A. -- what's owed.

25 Q. Right. Because that's the point of this

1 lawsuit is you want Heartbreakers to pay you some amount
2 of money, right?

3 A. I want to be what's -- like, I want this to
4 stop. Like, these rules that, you know, that is what I
5 am mainly shooting for, is, like, I want these rules to
6 be corrected and stopped. I want the girls not to be
7 badgered the way we've been all these years.

8 Q. Okay. So you want the badgering to stop.

9 So the -- and you correct -- tell me if I'm
10 putting words in your mouth. Is money beside the point?

11 A. I mean, if I -- what I'm owed, like, if I
12 worked there and I was being taken advantage of and I
13 was -- you know, they took all this money from me, I
14 want what I'm owed. I mean, I don't know what it is.
15 We'd have to figure that out, but --

16 Q. Okay. Well, let's talk about that.

17 A. Okay.

18 Q. How -- in 2019, how many days did you perform?

19 A. I'm not sure. I mean --

20 Q. Was it more than seven days?

21 A. No. It was five -- five to six maybe
22 sometimes.

23 Q. Okay. You say that you worked five to six days
24 in 2019?

25 A. Yes. Wait, 2019? I don't know when's the last

1 time I worked? When was the last day I worked there?

2 MS. REZAZADEH: Sorry, I just got
3 disconnected again. Can y'all hear me?

4 MR. KING: Yes.

5 MS. REZAZADEH: Okay. I got disconnected
6 for a second. It came right back on. I don't know what
7 I missed.

8 MR. KING: I just -- can you read the last
9 question back, ma'am?

10 (Requested portion was read.)

11 MS. REZAZADEH: Okay. That's fine.

12 Q. (BY MR. KING) Do you recall the last day that
13 you worked there?

14 A. No. That's what I was trying to -- I mean, I
15 don't remember -- I know -- I mean, I don't remember the
16 last day.

17 Q. Okay. Do you remember approximately how many
18 days you worked in 2019?

19 A. I don't know if I worked there in 2019.

20 Q. Okay.

21 A. 'Cause I worked at Rodeo Goat, so I'm not sure.

22 Q. Let me see if I can get this. Maybe this will
23 help. Did you have difficulty driving to Heartbreakers?

24 A. No.

25 Q. No? Was your driver's license ever suspended?

1 A. Oh, yes.

2 Q. How did you get to Heartbreakers?

3 A. When it was suspended?

4 Q. Uh-huh.

5 A. Uber, a cousin.

6 Q. When was your driver's license suspended; do
7 you recall?

8 A. No. I'm sorry.

9 Q. All right. I'm gonna share my screen with you.

10 MR. KING: Counsel, this is the document
11 that I e-mailed to you, and I'll put it on the record
12 that I just gave this to you.

13 (Exhibit 2 shared.)

14 Q. (BY MR. KING) Okay. I'm showing you a
15 document titled Hours and Earnings Detail Report.

16 Do you see this, ma'am?

17 A. I can see it.

18 Q. Okay. And this report shows that you worked
19 one day in 2019, on October 12th. Is there anything
20 about what this record shows that is inaccurate?

21 A. I don't -- I don't know what this is.

22 Q. Okay. Fair enough. I'll back up.

23 I will represent to you this is a document
24 from Heartbreakers that shows the date that you
25 performed right here --

1 A. Okay.

2 Q. -- the time that you clocked in, quote/unquote,
3 and the time that you clocked out. Okay?

4 A. Okay.

5 Q. And so earlier you were telling me that on the
6 last day that you performed at Heartbreakers, Whitey
7 read to you from the book of wrath because you had to
8 go?

9 A. Yes.

10 Q. Okay. And you earlier testified that this was
11 about two or three hours into your shift, right?

12 A. Uh-huh.

13 Q. Right?

14 A. Yes.

15 Q. Okay. And so here we have on October 12th,
16 2019, Heartbreakers' records show that you were there
17 for about three and a third hours.

18 A. Okay.

19 Q. Does that square with your recollection?

20 MS. REZAZADEH: Objection; calls for
21 speculation.

22 THE WITNESS: I answer?

23 Q. (BY MR. KING) Yes.

24 MS. REZAZADEH: Yes, of course.

25 A. I don't -- I mean, I really don't -- I really

1 have no idea what I'm looking at or the date. Like, I
2 have no idea when was the last date that I worked there.

3 Q. (BY MR. KING) Okay. Do you have any reason to
4 believe that this record is false?

5 A. I've never seen this record, so --

6 Q. Okay. Do you -- is it false that you worked on
7 October 12th, 2019?

8 A. I'm -- I don't remember if I worked that exact
9 date.

10 Q. Let me see.

11 A. 'Cause I know before they were saying that I
12 only worked there one day, and now it's like -- I mean,
13 I don't know.

14 Q. Okay. So I'm showing you maybe a document that
15 you've seen before.

16 A. Okay.

17 Q. This is a document labeled Heartbreakers 36,
18 the same thing we were looking at earlier. Have you
19 ever seen this record before?

20 A. No.

21 Q. All right. So yes or no, did you work more
22 than one day in 2019 at Heartbreakers?

23 A. Yes.

24 Q. Okay. How many days did you work in 2019?

25 A. I don't remember.

1 Q. Do you recall how many days per month on
2 average that you performed at Heartbreakers?

3 A. I mean, I would work at least five to six days,
4 so I mean, on average -- I would -- I don't know, 15,
5 20, I mean --

6 Q. 15, 20 days a month?

7 A. Yes.

8 Q. And how long would your shifts last at
9 Heartbreakers during these days that you say you
10 performed?

11 A. They were eight hours, sometimes a little bit
12 more, depending on when the door girl got there.

13 Q. Okay. So if Heartbreakers' records show that
14 you only worked one day in 2019, that record would be
15 incorrect, right?

16 A. Yes.

17 Q. What other sources of information could we look
18 at to determine how many days you, in fact, performed at
19 Heartbreakers in 2019?

20 A. I don't know.

21 Q. Did you keep any kinds of calendars, records,
22 diaries, anything of that nature?

23 A. No.

24 Q. Okay. Did you ever post things on Instagram or
25 Facebook that might give us some hint as to when you

1 performed at Heartbreakers in 2019?

2 A. No. I don't --

3 Q. Did you ever tell any other people when you
4 performed at Heartbreakers in 2019?

5 A. No.

6 Q. Okay. Would your Uber receipts show when you
7 went to Heartbreakers?

8 A. I don't know. I can check, but I don't -- I
9 don't know.

10 Q. Okay. In 2019, did you get to Heartbreakers by
11 taking Uber or a cab or something?

12 A. I'm not sure if it was in that year, 2019 or
13 '18. I mean, I don't -- I don't know an exact date.
14 Sorry.

15 Q. Is it possible that you only worked one day in
16 2019?

17 A. No.

18 Q. Okay. All right. Let's go on to the first
19 page of this document, which shows this record was run
20 for the time period between January 1st, 2017 through
21 January 14th of 2021.

22 All right. So the first date here is May
23 22nd, 2017. All right?

24 A. Uh-huh.

25 Q. Do you recall working at Heartbreakers on any

1 date in January, February, March or April of 2017?

2 A. I would say yes, but I'm not -- I would say
3 yes, but I'm not for sure. I mean --

4 Q. Okay.

5 A. -- I would literally have to sit down and --

6 Q. And think about it, right?

7 A. Right.

8 Q. How would you refresh your memory?

9 A. I don't know, honestly.

10 Q. There's nothing you can think of that would
11 help refresh your memory about whether you may have
12 worked at Heartbreakers between January and April of
13 2017?

14 A. January and April -- no. I mean, I would
15 have -- no.

16 Q. This record shows that you performed one, two,
17 three, four -- four days in May of 2017. Is that
18 inconsistent with your recollection?

19 A. Yes.

20 Q. Okay. So this record we're looking at, is it
21 inaccurate?

22 A. Yes.

23 Q. Okay. And same question: Are there any other
24 records out there that you know of that might show us
25 how many days you may have worked in 2017 -- May of

1 2017?

2 A. No.

3 MS. REZAZADEH: Objection; calls for
4 speculation.

5 Q. (BY MR. KING) Okay. And, again, records that
6 you have or have access to. That's what my question was
7 about.

8 A. Yeah. No, I don't.

9 Q. In June of 2017, Heartbreakers' records showed
10 that you clocked in one, two, three, four, five, six,
11 seven days total in that month. Is that inconsistent
12 with your recollection?

13 A. Yes.

14 Q. And -- and your earlier testimony was that it
15 was your habit or routine to work at least five to six
16 days at Heartbreakers every week of every month, right?

17 A. Yes. I would work at least five days.

18 Q. At least five days?

19 A. (Witness moves head up and down.)

20 Q. And those shifts were at least seven to eight
21 hours long, right?

22 A. Eight hours or more, yes.

23 Q. Eight hours or more?

24 A. Yes.

25 Q. Okay. This record shows that in July of 2017,

1 the first day that you clocked in, according to
2 Heartbreakers's records -- can you see it there?

3 A. Yes.

4 Q. -- was July 10th, 2017, and that thereafter,
5 you worked one, two, three, four, five, six, seven,
6 eight -- eight days in July of '17.

7 Is that inconsistent with your
8 recollection?

9 A. Yes.

10 Q. Okay. So just to wrap this up, if we were to
11 look at this record and it shows that you worked less
12 than five days in a given week --

13 A. Uh-huh.

14 Q. -- the record would be inaccurate?

15 A. Yes.

16 Q. Okay. But you were not aware of any other
17 records in your possession or sources of information in
18 your possession from which we could determine the number
19 of days and hours that you, in fact, worked, true?

20 MS. REZAZADEH: Objection; vague.

21 Q. (BY MR. KING) Is that true?

22 A. Right.

23 Q. Okay. The last question on all of this date
24 stuff --

25 A. Okay.

1 Q. -- the record shows that in 2018 -- and by the
2 record, I mean Heartbreakers' records that I'm showing
3 you --

4 A. Okay.

5 Q. -- you worked January 5th, February 10th, June
6 15th, July 21st, July 26th and August 11th, 2018, and
7 that was it for 2018.

8 A. Uh-huh.

9 Q. You -- I assume you recall working more hours
10 and days than what I've just shown you, right?

11 A. Yes, yeah.

12 Q. All right. Okay.

13 And you wish to be paid for every hour that
14 you worked at Heartbreakers --

15 MS. REZAZADEH: Objection; misquoting the
16 deponent.

17 Q. (BY MR. KING) -- as your damages, right?

18 A. I mean, I don't know if it's, like, every hour
19 or -- I mean, I don't know what it is. I don't know
20 what it -- I don't know.

21 Q. What are you gonna tell the jury you should be
22 paid?

23 A. I mean, like, what if there were more hours
24 that were overtime or time and a half, I mean --

25 Q. That's fine. I just need you to tell me what

1 it is.

2 A. I mean, I don't know. Honestly, I don't know.

3 Q. Okay. Are you claiming that you worked
4 overtime hours?

5 A. I mean, if I actually sat and thought, I mean,
6 I think it would be over 40 hours. I mean, I don't
7 know.

8 Q. Do you recall an instance in which you worked
9 in excess of 40 hours in any seven-day period of time
10 since 2017?

11 A. What was it again?

12 Q. Sure. That was kind of a long question.

13 A. Yeah. Sorry.

14 Q. Since 2017, do you recall working at
15 Heartbreakers in excess of 40 hours in any seven-day
16 period of time?

17 A. I would say yes.

18 Q. Okay.

19 A. I worked there a lot -- I worked a lot of hours
20 there.

21 Q. All right. And can you remember a week in any
22 year since you worked there, so in 2017, 2018 or 2019,
23 in which you worked overtime?

24 A. No, not an exact week or month. I just know
25 that I worked there a lot.

1 Q. Can you recall the season of the year in which
2 you worked overtime?

3 A. No.

4 Q. Can you recall approximately the number of
5 hours that you may have worked in excess of 40?

6 A. No.

7 Q. Could it have been 45 hours in a given work
8 week?

9 A. I mean, I honestly --

10 MS. REZAZADEH: Objection; form. Calls for
11 speculation.

12 A. -- don't know.

13 Q. (BY MR. KING) So just to shortcut this whole
14 line of questions, you have absolutely no way of telling
15 me if you might have worked overtime and how much,
16 right?

17 A. Right.

18 Q. Okay.

19 MS. REZAZADEH: Objection; argumentative.

20 Q. (BY MR. KING) Are you seeking any compensation
21 in this case for any time that you spent in the dressing
22 room before you clocked in?

23 MS. REZAZADEH: Objection; vague.

24 A. I don't know.

25 Q. (BY MR. KING) Is it your contention that

1 Heartbreakers should have paid you for the time that you
2 spent in the dressing room preparing for performing?

3 MS. REZAZADEH: Objection; vague.
4 Incomplete hypothetical.

5 A. I don't know.

6 Q. (BY MR. KING) I guess I'm just kind of
7 confused why you don't know.

8 What do you want a jury to give you?

9 A. I mean, I don't know if it's time that I spent
10 in the dressing -- I mean, I don't -- I don't -- I don't
11 know what it is that...

12 Q. Well, you claim in the lawsuit that
13 Heartbreakers owes you for the -- the time that you
14 spent performing and working there.

15 A. Yes.

16 Q. We agree on that, right?

17 A. Yes.

18 Q. Okay. And so what I'm trying to get at with my
19 questions is how we figure out how many hours --

20 A. I would say it is from the time I walked in the
21 door.

22 Q. Okay. So from the time that you walked in at
23 Heartbreakers --

24 A. Yes, till the time I left.

25 Q. Till the time you left, and the time that you

1 worked -- or the time that you walked in the door is
2 different from the time that you actually clocked in,
3 right?

4 A. I was preparing, getting ready.

5 Q. Okay. So how long from the time that you
6 walked in the door to the time that you would clock in
7 would you spend at Heartbreakers --

8 MS. REZAZADEH: Objection --

9 Q. (BY MR. KING) -- on average?

10 MS. REZAZADEH: -- vague.

11 A. Sometimes it would be different. I mean,
12 sometimes I'd take longer than others. Sometimes I have
13 to hurry it up because I was getting in trouble for
14 spending too much time. It just depends.

15 Q. (BY MR. KING) Okay. Could you give me at
16 least a ballpark range, 15 minutes to an hour?

17 MS. REZAZADEH: Objection; asked and
18 answered.

19 Q. (BY MR. KING) Five minutes to two hours?
20 What?

21 MS. REZAZADEH: Objection; asked and
22 answered.

23 A. I don't know. It would -- it just depends. It
24 would be hours sometimes.

25 Q. (BY MR. KING) Could it be minutes sometimes?

1 A. No.

2 Q. Okay. So it would at least be hours, right?

3 A. At least an hour.

4 Q. At least an hour?

5 A. Yes.

6 Q. All right.

7 A. At least.

8 Q. Every day that you performed at Heartbreakers,
9 true?

10 A. Yes.

11 Q. And what was the maximum amount of time that
12 you recall putting your -- yourself together in order to
13 perform for which you seek compensation?

14 A. A maximum three to four hours. I'm not sure.

15 Q. Okay. So we've established a range. One to
16 three or four hours spent preparing yourself to perform,
17 true?

18 A. Yes.

19 Q. Okay. And this would be every day, right?

20 A. Yes.

21 Q. All right. Based on your own observations, how
22 much time would other performers spend preparing
23 themselves in the locker room prior to clocking in or
24 checking in?

25 A. I mean, we're all women and, you know, we all

1 take a long time, so it was all pretty much -- I mean,
2 we took a while to get ready.

3 Q. Right. Are you seeking recovery of tips that
4 you say you paid to Heartbreakers' personnel?

5 A. Yes.

6 Q. Okay. Is there any way to quantify how much
7 those -- those tips were in any given month?

8 A. No.

9 Q. No?

10 A. (Witness moves head from side to side.)

11 Q. Would it just depend?

12 A. It would just depend.

13 Q. What would it depend on?

14 A. It depends, did I get skipped that day, how
15 many days -- how many times did I get skipped, how
16 much -- you know, how much money did I tip, how much --
17 it just depends. If I made a lot of money, I had to tip
18 them more. If I made less money, I tipped them less.

19 Q. Okay. Was there any kind of percentage that
20 was applied to the amount of money that you made that
21 you would have to tip?

22 A. On the credit cards, there would be a
23 percentage.

24 Q. Right. But I -- when I'm talking about tips, I
25 understand from your lawsuit that you allege that the

1 personnel at Heartbreakers would impose fees and fines
2 on you for various violations of different kinds of
3 rules, right?

4 A. Right.

5 Q. So if a manager didn't like the color of the
6 top you were wearing, you could be fined for that,
7 right?

8 A. I don't know about the color of the top, but I
9 mean, depending --

10 Q. If they didn't like it, for whatever reason
11 they don't like your top, they could fine you for that,
12 right?

13 A. I don't know.

14 Q. Okay. Aside from the credit card fees and the
15 house fees, what other forms of forced tipping are you
16 claiming that Heartbreakers imposed upon you?

17 A. Other than -- what was --

18 Q. Aside from credit card transaction fees and
19 dance dollars and the house fee that we --

20 A. What about, like, the skipping? So, like, if
21 we were busy, we couldn't get on stage, we'd have to
22 skip, and we'd have to pay every single time. So --

23 Q. Okay. How much was that?

24 A. \$20 each skip.

25 Q. All right. And how often did you skip the

1 stage rotation?

2 A. Pretty often if I was busy.

3 Q. Is there any way that you can provide me some
4 sort of quantification of how often that was?

5 A. No. I mean, there's nothing to, like, give you
6 a specific number of how many times, but I did it often.
7 Like, I was one of the ones that stayed busy.

8 Q. All right. Was it, like, more than twice every
9 shift?

10 A. It was more than twice, for sure.

11 Q. Okay. So your practice was that you would skip
12 stage more than twice every shift --

13 A. Yes.

14 Q. -- right?

15 A. Yes.

16 Q. And so you would pay at least \$40 per shift to
17 skip stage, right?

18 A. Yes.

19 Q. Was that the same for other dancers?

20 A. Yes.

21 Q. So all the dancers skipped stage at least twice
22 per shift?

23 A. Yeah. If they were busy, yes. I mean, if you
24 were skipping, you were gonna skip a number of times.
25 It wasn't just gonna be a one-time skip. You know, you

1 were busy, you're gonna skip. And then depending on how
2 many dancers were there is how many times you go up. So
3 if there's only five, we're gonna go up every single 20,
4 30 minutes, you know.

5 Q. Right, okay. And no manager at any point ever
6 said, Well, there really aren't a lot of customers here,
7 so I don't care if you're on the stage rotation, right?

8 A. Oh, no, we had to. Like we had to.

9 Q. So a manager like Carl Arceneaux, if he said
10 that if it's not busy at the club, that he doesn't care
11 if dancers are on the stage -- he would be lying if he
12 said that?

13 A. Yeah. Like if -- whether there was a lot of
14 customers or a little bit of customers, we always had to
15 dance the stage because in case somebody walked in.

16 Q. All right. So there could be zero customers in
17 the club --

18 A. Yes.

19 Q. -- and you would still have to be on stage?

20 A. Yes. Because in case somebody walks in, you
21 don't -- they didn't want it to look like there was
22 nobody there.

23 Q. All right. So aside from the stage fee that
24 you say Heartbreakers made you pay, are there any other
25 fines, fees or penalties, monetary penalties?

1 A. If we left early, if we needed to leave before
2 our eight-hour shift, we had to pay \$50 plus, and that
3 would get split in between the managers and the DJ.

4 Q. Okay. \$50 plus what?

5 A. Whatever else we owed.

6 Q. What else would you owe for?

7 A. Like, if we owed our -- it would just -- \$50 or
8 more. Like, it would just vary. Sometimes it would be
9 50; sometimes it would be 60. It just depends, like, if
10 there was enough girls, and then they'd say, okay, give
11 me \$60, you can leave, like --

12 Q. So it just depended on, like, whatever that
13 manager told you?

14 MS. REZAZADEH: Objection; misquoting the
15 deponent.

16 Q. (BY MR. KING) Right?

17 A. It was just \$50 or more.

18 Q. \$50 or more?

19 A. Yes.

20 Q. And so the amount over \$50 just depended on the
21 manager, right?

22 A. Yes.

23 MS. REZAZADEH: Objection; misquoting the
24 deponent.

25 Q. (BY MR. KING) Sorry, did you say yes?

1 A. It just depended, yes.

2 Q. Okay. So there was not some set amount for
3 leaving early --

4 A. There was a set amount at 50. The set amount
5 was 50, but if they were, like, okay, you give me \$60,
6 I'll let you go, or, like, you know.

7 Q. Okay.

8 A. Or if they seen that we made a lot of money and
9 we wanted to leave early, it was, like, no, you're gonna
10 give me some of your money, you know.

11 Q. And how much of that -- how much would be
12 demanded from you based on how much you earned?

13 A. So they would basically just see how much I
14 made, and then they would be, like, no, I seen you with
15 that customer all night. You made this amount, and give
16 me this amount or, you know.

17 Q. Okay. So you would have managers hovering over
18 you with customers --

19 A. Yes.

20 Q. -- tracking how much money they paid?

21 A. For sure.

22 Q. For sure?

23 A. Yes.

24 Q. Okay. Speaking of which, Heartbreakers tracks
25 the number of dances that you gave to customers, right?

1 MS. REZAZADEH: Objection; vague.

2 A. They kept track on -- I guess just, like, so
3 they could see how much time I spent over there.

4 Q. (BY MR. KING) Over where?

5 A. Oh, with the customer. Like -- like, I seen
6 you over there, and you skipped this many times, like,
7 you know, things like that.

8 Q. Okay.

9 A. I seen you over there all night long. You
10 skipped ten times, which means you made X amount of
11 dollars, you know.

12 Q. Okay. Managers tracked the number of dances
13 that you performed each shift, right?

14 MS. REZAZADEH: Objection; asked and
15 answered.

16 A. I mean, yes, to an -- somewhat they did keep an
17 eye on if we were making money to know I guess how much
18 to charge us, or how much we tipped out.

19 Q. (BY MR. KING) And how did they track the
20 number of dances that you performed each shift?

21 A. That's how they would tell me, like, you know,
22 I seen you over there all night long, or you skipped
23 this amount of times, which means you stayed busy this
24 whole time.

25 Q. Were they writing down the number of lap dances

1 you gave on the floor or in a booth?

2 A. No. They were just a general amount of time,
3 like, you know.

4 Q. I don't. That's why -- I mean, I'm asking
5 you --

6 A. I mean, it wasn't like a tally, like Roxanne
7 did one, or, you know, it wasn't like a tally mark. It
8 was more like, I know -- I mean, we kind of know, like,
9 once you're with a customer, you've been with him for X
10 amount of hours, you made money. You weren't just
11 sitting there for -- for -- you know, like, you were
12 going to make -- you made money, so we had to give them
13 a percentage of it.

14 Q. Okay. What's a fee split?

15 A. It was just split in between whatever was
16 collected from our fines and skips. It was split in
17 between the manager and the DJ.

18 Q. And what was that split?

19 A. 50/50.

20 Q. How do you know that?

21 A. Just by -- I mean, we -- we've seen it, like,
22 we see the managers get money from the DJ. I mean, the
23 girls talk about it. It's -- it's known.

24 Q. Okay. Did anyone ever tell you specifically
25 it's 50/50?

1 A. One of the girl -- I mean -- so one of the
2 girls dated the DJ --

3 Q. Okay. And what was --

4 A. -- and she was the one who kind of --

5 Q. Go ahead.

6 A. She was the one that kind of told us, you know,
7 that they get 50/50 straight down the middle.

8 Q. And what was this individual's name, the
9 dancer?

10 A. I don't remember her stage -- I can't remember
11 her name.

12 Q. Do you remember the name of the DJ she was
13 dating?

14 A. Oh -- darn it. I forgot his name. I forgot
15 his name.

16 Q. Was it Vonic?

17 A. Vonic, no.

18 Q. Benjamin Brantley, was that the name of the DJ?

19 A. No, not him.

20 Q. Ray Sharp?

21 A. No. I think it was --

22 Q. James Vonic?

23 A. Honestly, I don't even -- I don't remember his
24 name.

25 Q. All right. Do you recall --

1 A. (Indiscernible.)

2 Q. -- when you learned this information from this
3 unidentified dancer?

4 A. Uh-huh.

5 Q. Do you recall when this unidentified dancer
6 told you this information about fee splits?

7 A. Like, do I remember a date or --

8 Q. Like a time frame.

9 A. No.

10 Q. Was it in 2002, 2018?

11 A. I don't remember.

12 Q. Could have been at any point since 2002?

13 A. It wasn't that far back, I know that, but --

14 Q. Was it in the past ten years?

15 A. Yes.

16 Q. Okay. Any other fees, fines or monetary
17 penalties that we have not yet discussed?

18 A. I think we've covered them, but I mean, I'm not
19 for sure.

20 Q. You worked at Heartbreakers for 18 years. Are
21 these the only ones that -- only kinds of fees, fines or
22 penalties that you allege you were required to pay?

23 MS. REZAZADEH: Objection; asked and
24 answered.

25 A. I think we've covered them. I'm not really --

1 I'm not sure which ones we covered.

2 Q. (BY MR. KING) We've covered house fees, stage
3 fees, leaving early fees.

4 A. House fees, stage fees, leaving early,
5 skipping.

6 Q. House fees?

7 A. Yeah, we did that -- that was the first one.

8 Q. Right. Anything else?

9 A. Early, skipping, the funny money. I think
10 that's it.

11 Q. And you have no way to tell me on any
12 approximate basis how much money you were forced to pay
13 over to DJs or house moms for anything, right?

14 MS. REZAZADEH: Objection; calls for
15 speculation. Asked and answered.

16 A. It was all cash, so I don't really have a way.

17 MR. KING: If we can go off the record for
18 a couple minutes, I can probably wrap up.

19 MS. REZAZADEH: Okay.

20 (Recess from 4:20 p.m. to 4:28 p.m.)

21 Q. (BY MR. KING) I've just got a couple more
22 questions for you, and then I'll let you go.

23 Do you know Frankie Anderson?

24 A. Do I know who?

25 Q. Frankie Anderson.

1 A. Frankie?

2 Q. (Moves head up and down.)

3 A. The name doesn't ring a bell.

4 Q. Do you know Caitlyn Jersey?

5 A. (Moves head from side to side.) Not by the
6 name.

7 Q. Do you know Stephanie Toporcer?

8 A. (Witness moves head from side to side.)

9 Q. And we've already established that you don't
10 know any of the other plaintiffs in this case, right?

11 A. Right.

12 Q. Okay. And we've already established that you
13 don't know if any other dancers wish to join this
14 lawsuit?

15 MS. REZAZADEH: Objection; misquoting the
16 deponent.

17 Q. (BY MR. KING) Sorry?

18 A. Do I know of any dancers?

19 Q. (Moves head up and down.)

20 A. No. I mean, I don't -- I haven't spoke to
21 anybody about it, so I don't know.

22 Q. Okay. How do you know if management -- or
23 excuse me. How are you aware that other exotic dancers
24 or entertainers fear retaliation for voicing concern
25 over defendant's FSLA violations and for opting in as

1 plaintiffs in this lawsuit?

2 A. Can you read the first part again? Just the
3 first little --

4 Q. Sure. How are you aware that other exotic
5 dancers fear retaliation for voicing concern over
6 defendant's FSLA violations and for opting in as
7 plaintiffs for this lawsuit?

8 A. You mean, like, would they be scared to speak
9 up --

10 Q. Yes, if you --

11 A. -- is that what you're saying?

12 Q. Yes.

13 A. Yes.

14 Q. How are you aware of that?

15 A. Just -- I mean, I was scared to speak up, but
16 since I'm never gonna return, I spoke up.

17 Q. Okay. How are you aware that others fear that
18 retaliation?

19 A. I mean, I would -- I would say yes. I haven't
20 spoke to anyone for them to tell me, but I would say
21 yes, like, we -- we knew what they would do. We knew
22 what Whitey would -- you know, he was -- when I say open
23 up a book of wrath, I mean, literally. He was -- I
24 would avoid him. If I didn't have to talk to him, I was
25 not talking to him.

1 Q. Was he -- were all the other managers just like
2 Whitey?

3 A. They were like him, but not, like, not as
4 wrath. Like, he was like (descriptive noise), you know,
5 but the other ones, they were very strict. They had all
6 the rules, same rules. It's just Whitey was a little
7 bit more -- you couldn't go to him. I could go to
8 Damon, you know, and talk to Damon or, you know, I would
9 approach him and ask him if I had any questions. But if
10 I had to go to Whitey, I wouldn't ask questions.

11 Q. Damon was much more approachable, wasn't he?

12 A. Yes.

13 Q. Damon was a lot easier to work with, wasn't he?

14 MS. REZAZADEH: Objection; form.

15 A. He was more approachable. He was approachable.

16 MR. KING: Okay. Counsel, I put into the
17 chat window Exhibit 3 and Exhibit 4. Exhibit 3 is the
18 license agreement. Do you see it?

19 MS. REZAZADEH: Have these been produced?

20 MR. KING: Yes.

21 MS. REZAZADEH: Can you give me Bates
22 numbers? It might be easier than having to go through
23 the download process.

24 MR. KING: It's Bates 31 -- Heartbreakers
25 31, and it ends Bates 35.

1 (Exhibit 3 shared.)

2 Q. (BY MR. KING) All right. Ms. Murillo, have
3 you ever seen this document before?

4 A. Yes.

5 Q. What is it?

6 A. It was an agreement to work.

7 Q. With Heartbreakers, right?

8 A. Yes.

9 Q. All right. And at the bottom here on
10 Heartbreakers 35, is that your signature right here?

11 A. Yes.

12 Q. Okay. I just wanted to make sure. You're not
13 claiming anyone forged your signature or anything like
14 that, right?

15 A. No.

16 Q. Okay. Have you ever heard that happening?

17 A. Forge -- no. I mean, I don't know.

18 Q. Do you know if any --

19 A. I really just went to work, did what I had to
20 do, and left. Like I didn't really -- I mean, I don't
21 know if there was, like, forged -- I don't know.

22 Q. You never heard of it happening from any other
23 dancer, right?

24 MS. REZAZADEH: Objection; asked and
25 answered.

1 A. I don't know.

2 Q. (BY MR. KING) It's a yes or no, either you did
3 or you didn't.

4 A. No.

5 (Exhibit 4 shared.)

6 Q. All right. All right. Exhibit 4 is
7 Heartbreakers 149 through 153. All right. This is
8 basically the same agreement, I'll represent to you, but
9 it's dated September 2nd, 2015.

10 A. Uh-huh.

11 Q. Does this document also bear your signature?

12 A. Yes.

13 Q. Okay. And you're not claiming that somebody
14 falsified your signature or anything like that, true?

15 A. No.

16 Q. Okay. Did you receive 1099s from
17 Heartbreakers?

18 A. No.

19 MR. KING: Counsel, this is Heartbreakers
20 37.

21 (Exhibit 5 shared.)

22 Q. (BY MR. KING) Have you ever seen your 2019
23 1099 wage form from Heartbreakers?

24 A. No.

25 Q. Never received it?

1 A. No.

2 Q. Is 11527 Bedford Street your address?

3 A. 11527, yes.

4 Q. Okay. Have you seen this document in the

5 course of this lawsuit?

6 A. Oh, I'm sorry, it's 15227 is my address.

7 Q. 15227. So the address here is just incorrect?

8 A. Yes.

9 Q. Okay.

10 A. And Channelview, not Houston.

11 Q. Got it.

12 MS. REZAZADEH: Bates number on that one?

13 MR. KING: 37.

14 Q. (BY MR. KING) All right.

15 MS. REZAZADEH: And that was Exhibit 4, 5?

16 MR. KING: Exhibit 5. And here's Exhibit

17 6.

18 (Exhibit 6 shared.)

19 MR. KING: This is Heartbreakers 157. I'm

20 sorry, I said 157. I meant 158.

21 Q. (BY MR. KING) Okay. Have you ever received

22 this 1099 form?

23 A. No.

24 Q. Did you live at 3701 Luella in La Porte?

25 A. Yes.

1 Q. And you've never seen this document in the
2 course of this lawsuit?

3 A. No.

4 MR. KING: Okay. Last 1099. This is
5 Exhibit 7, and it's Heartbreakers 154.

6 (Exhibit 7 shared.)

7 Q. (BY MR. KING) Have you ever seen this
8 document, ma'am?

9 A. No.

10 Q. You do not recall ever receiving a 1099 form
11 from Heartbreakers at any point, basically?

12 A. No.

13 Q. Did you report your income to the IRS that you
14 made from Heartbreakers?

15 A. No.

16 Q. Have you searched for all documents that might
17 reflect your experiences at Heartbreakers to your
18 counsel?

19 A. I'm sorry?

20 Q. Have you searched for -- have you completed
21 your search for any documents that you wish to show what
22 your experience has been like at Heartbreakers? Have
23 you given all --

24 A. I've given it all to her.

25 Q. Got it. Okay. The only reason I'm asking you

1 is just 'cause I'm just trying to figure out if there's
2 more stuff out there.

3 A. Okay. I've given her everything that I have.

4 Q. Fair enough. My client just gave me new stuff
5 for you yesterday, so I'm just trying to find out.

6 A. Okay.

7 Q. Oh, dancing is unskilled work, isn't it?

8 MS. REZAZADEH: Objection; vague.

9 A. Yes.

10 Q. (BY MR. KING) It doesn't require any kind of
11 special training, right?

12 A. No.

13 Q. Anybody could do it?

14 A. Yes.

15 MR. KING: All right. Pass the witness.

16 MS. REZAZADEH: Reserve for trial.

17 (Deposition concluded at 4:39 p.m.)
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1 CHANGES AND SIGNATURE

2 WITNESS NAME: ROXANNE RENEE MURILLO

3 DATE OF DEPOSITION: April 27, 2021

4 PAGE LINE CHANGE REASON

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I, ROXANNE RENEE MURILLO, have read the foregoing deposition and hereby affix my signature that same is true and correct, except as noted above.

ROXANNE RENEE MURILLO

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF TEXAS
 GALVESTON DIVISION

3 STACEY KIBODEAUX, a/k/a)
 "ILLUSION," et al.,)
4 individually, and on)
 behalf of all others)
5 similarly situated,)
) CIVIL ACTION
6 PLAINTIFFS,)
) NO.: 3:20-cv-00008
7 VS.)
)
8 A&D INTERESTS, INC.,)
 d/b/a HEARTBREAKERS)
9 GENTLEMAN'S CLUB, et al.,)
)
10 DEFENDANTS.)

11 REPORTER'S CERTIFICATION
12 DEPOSITION OF ROXANNE RENEE MURILLO
 April 27, 2021

13 I, Caroline Massa, RPR, a Certified Shorthand
14 Reporter in and for the State of Texas, hereby certify
15 to the following:

16 That the witness, ROXANNE RENEE MURILLO, was duly
17 sworn by the officer and that the transcript of the oral
18 deposition is a true record of the testimony given by
19 the witness;

20 That the original deposition transcript was
21 delivered to Mr. William X. King.

22 That a copy of this certificate was served on all
23 parties and/or the witness shown herein on

24 _____.

25 I further certify that pursuant to FRCP Rule

30(f)(1) that the signature of the deponent:

X was requested by the deponent or a party before the completion of the deposition and that the signature is to be before any notary public and returned within 30 days from date of receipt of the transcript. If returned, the attached Changes and Signature Page contains any changes and the reasons therefore;

_____ was not requested by the deponent or a party before completion of the deposition.

That the amount of time used by each party at the deposition is as follows:

Ms. Ghazzaleh Rezazadeh...00:00

Mr. William X. King.....02:53

I further certify that I am neither counsel for, related to, nor employed by any of the parties or attorneys in the action in which this proceeding was taken, and further that I am not financially or otherwise interested in the outcome of the action.

Certified to by me on this, the 14th of May, 2021.

Caroline Massa, RPR, Texas CSR 6226
Expiration Date: 10/31/2021
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